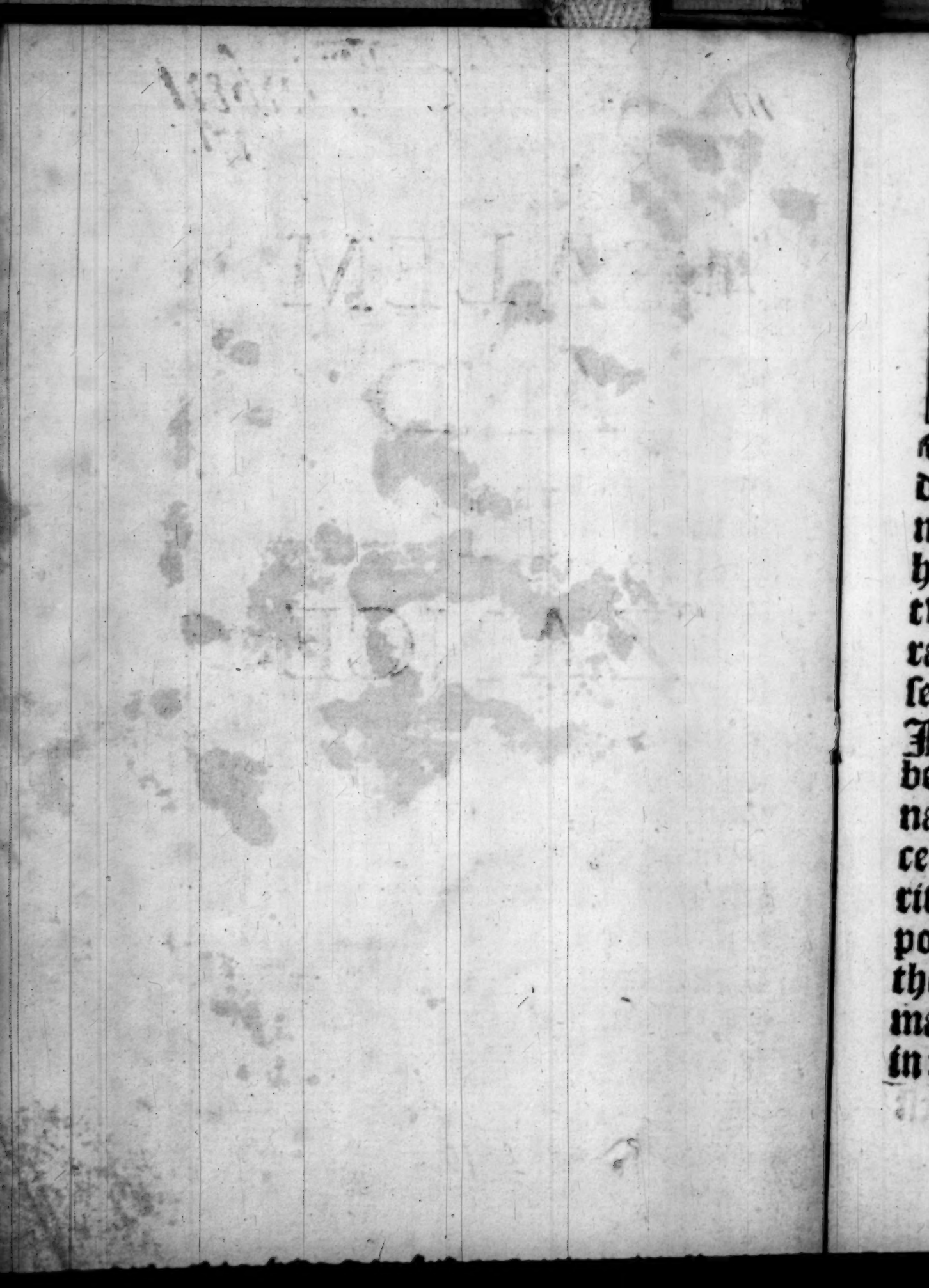
W.m Herbert
1771.

SALEM AND BIZANCE.



A dialogue betwixte two englyshe men, wherof one was called Salem, and the other Bizance.

Thintroduction.

SALEM. There is a boke lately made by syr Thomas Moze, whiche he calleth the Appologie of syr Tho. Moze knyght, wherin amonge dyuers other thynges he layeth many obiections agaynste a booke, that he calleth the booke of Diuysyon betwixte the spiritualtie and the temporaltie: haste thou my frende Bizance sene that boke of diuision? BIZAN. I haue sene a lyttell boke, that in the begynnynge of the booke, hath this name sette vppon hit, A treatise concernyng the diuision betwixte the spiritualtie and tempozaltie: and I suppose that hit is the same booke, that thou meneste of: Foz in dede sir Thomas Moze maketh many obiections in the sayd Apologie ayenst the sayde

treatise, and recyteth in many places the very wordes of some parte of the chapitres of the sayde treatise. Howe be it in some places he mysrehercetb it, and in some places he tourneth the sentence therof to an other effect, than can be reasonably taken to folowe of it, as me semeth. SAL. Than I see wel, it is the same boke, that I meane of: howe be it I perceiue by thy wordes, that syr Thomas Moore somewhat varieth from the very tru name of it. And verily if I were acqueynted with the maker of the sayde treatise, I wolde moue hym to make an answere to the sayde obiections. For me thynketh that in many places syr Thomas Moore (as thou sayst) doth mystake his sayinges. And therfore I praye the, if thou canste, make me acqueynted with hym: for if he wyll not aunswere to it hym selfe, I trowe I knowe a frende of myne that wyll. BIZ. To that purpose that thou spekest

keſt of, it ſhall not nede that ye be acqueinted, for he hath made an anſwer to it hym ſelfe all redy, all though he hath nat as yet ſet the name vpon it: And I knowe his mynde ſo well, that I am ſure he wyl be contented, that I ſhal ſhewe it to whom ſo euer I wyll. SA. Than I pray the hartily let me ſe it. BIZ. I ſhall cauſe it to be writen hereafter in this Dialoge worde for worde, as it is com to my handes, and than thou ſhalte with good wyll haue it: And I praye the let me than knowe thy further mynde, what thou thynkeſt in it. And thou ſhalt vnderſtonde, that his aunſwere begynneth at the begynnynge of this next chapiter hereafter enſuynge, and contynueth vnto the place, where I ſhal ſhew the that it endeth. And he hath neither made as yet prologue, preface, nor introduction, but begynneth in this maner as foloweth.

Of the anſwere to the Apologie of ſyr Tho. Moore knyghte. The fyrſte Chapiter.

Whan I herde firſt that ſyr Thomas Moze had made a boke, towchyng a lyttell treatiſe that I had lately made, concernynge a Diuiſion that is betwixt the ſpiritualtie and tempozaltie, I was ryght gadde: Foz I thoughte verily that he had diuiſed ſome moze conuenient wayes foz a good refozmation in that behalfe, than I hadde done oz coulde do: Foz I knewe ryght well, that he coude haue done it if he wold, and coulde yet doo, if he lyſte. But whan his booke came to my handes, I perceyued well, that he hadde not done ſo, but that rather to the contrarye, he had taken many exceptions, and made many obiections ayenſt it, wherof I meruayled greattely. And whan

whan I sawe that he had named his boke an Apologie, than I meruayled more than I dyd before. For Apologia in greke tongue, is as moche to say in latyn *responsio*, or *defentio*, that is to say an answere or a defence, wherby it semeth, that he shulde meane, that I had wrytten some thyng ageynst his workes, or mystaken som of his workes, that he had made in tyme paste, which he therfore purposed to mayntayne & defende. And verily I neuer wrote nor spake any thynge ageynst him. For I neuer red his Dialogue, his Cõfutations, ne yet none other of his workes: Howe be it that was not bycause I wold not rede his workes: but bycause I haue bene let by other occasion, and coulde not: and so I can not answere to his Apologie as an Apologie ayenst me, that nothyng haue done ayenst hym. But yet neuertheles that my silence shuld not make some other haply to thynke, that su-

che obiections as he hath made in his ſayde Apologie ayenſt the ſayde treatiſe were good and reaſonable, and alſo that he ſhulde not make the ſayde treatiſe appere to be made to an other intent, than it was made for in dede: I haue made anſwere to ſome of his obiections, wherby (as I ſuppoſe) it ſhal appere euidently, that his obiections proceded of lyttell charitie, and that the ſayde treatiſe is good and reſonable, and that it was alſo made to a good intent, that is to ſay, to increce peace and quietnes thorough all the realme. Howe be it for the auoydyng of tedioulnes to the reders, I intende not to anſwere to all his obiections, but to ſome of them. And thoughe I do not make anſwere perticularly to all, yet I ſuppoſe it ſhal appere by the anſweres, and by certayn conſiderations, and ſome declarations, that I ſhal make, concernyng the ſame, that his obiections are littel to be ponde-

red

red, if the reders wyll diligently and auisedly serche the groundes and circumstãces of the said obiections, and of the saide treatise to gether. And I wyll not make answere to his apologie after the order of his chapiters, but as I shall thynke shall serue beste for openinge of the treuth of the matier as nigh as I can.

¶ The fyrste consideration, the seconde Chap.

FIrst it is to cõsider, that sir Tho. More, fo. 89. of his Apologie confesseth, that murmure and discencion ayenst the clergie is far gone onward on his vnhappie iourney: And after fol. 106. he bryngeth in a verye derke sentence, wherby it appereth, that he meaneth, that the displesure & gruge betwyxte them is in dede neyther so great as I make it, and growen to so great as it is, but euen nowe of late, & so he confesseth there also, that there

is suche a grudge, but he sayeth that that gruge hath not begõne but now of late. But verily if he will loke well and indifferently vpon the matier, he shall fynde, that it hath bene in growyng of longer tyme than he speketh of there. And after, f. 241. he calleth it the late sprongen diuision: and so it apperith, that he confesseth, that there is suche a diuision: and yet not withstandinge, that he confesseth suche a diuision to be, yet for al that in al his Apologie, he deuiseth no remedy how to appese it, but only through the execucion of streite lawes, and by harde correction of heresyes: and he goeth very moche aboute also to perswade, that some of the thinges that be aleid in the said treatise for part of the causes of the said diuison, be no causes of diuision. And somtyme he saith by generall wordes, that there is no sufficient cause of diuision aleyed, takynge that as it were a good answere to the

said

ſaid tretiſe. But ſurely it is not ſo, for ſeinge that he hath confeſſed a diuiſiõ hym ſelfe, it foloweth that al though he coude auoyde all the conſideratiõs that be aleyed for cauſes of the ſayde diuiſyon, as he doeth not ne can not do: yet had he littel done to helpe the diuiſion, that he confeſſeth to remayn betwene them: but if he coulde haue proued them that I haue aſſigned for cauſes of the ſayde diuiſion, to be no cauſes of diuiſion: And than wolde haue leyd ſom other cauſe therof hym ſelfe, and therupon haue diuiſed how the cauſes myght haue ben auoyded: then had it appered, that he had ſome what endeuoyred hym ſelfe to haue made peace and concorde: but as he hath now handled him ſelfe in the matier, it ſhulde ſeme that he hath not ſo great a zele to haue the ſayde diuiſion appeſed, as he oughte to haue had. And ſurely conſidering not onely the wiſedome and lerning that is in him,

but

but alſo the great auctoꝛitie and expe
riẽce, that he hath had in this realme
in tyme paſte, wherby he myght right
well haue perceyued, and as I thinke
verily doth perceyue, that the gruges
and murmures that hath ben and yet
be betwixt the ſpiritualtie & the tẽpo=
raltie in this realme, haue begũne by
other thinges moꝛe thã by hereſies, ſo
that although hereſies were clerely ex
tincted: yet al thinges were not quiet
betwixt them: it is to me a right great
merueille, that he hath done no moꝛe
to acquiete thoſe other thynges, then
he hath done. Foꝛ ſurely many right
good, trewe, and catholyke men haue
grudged & do yet grudge ayenſt ma-
ny ſpiritual men foꝛ them.

¶ The ſeconde conſideration.
The thyꝛde Chap.

ALſo it is to be conſidered, that
ſithe there are murmurs & gru=
ges in the people ayenſte the ſpiritu=
altie,

altie, as is ſaid before: it muſt nedes folow therupon, that though it were admitted, that all tho murmurs and grudges roſe onely of a defaulte and vntrewe ſuſpicion in the laye people, without any occaſion gyuen to them by the ſpiritualtie, that yet hit were right highly neceſſary for al ſpiritual men to loke wel vpon the matier, and with great diligence to put to al their ſtudy for helping of the people out of the offence, that they renne in by ſuch wronge iugement and lyght ſuſpiciō: for ſurely the ſpiritualtie may not let the people lye ſtyll in that wronge iugement, and thinke them ſelfe ſafe ynough, bicauſe they gyue no cauſe to it. For if the thing that the lay people take occaſion to offend by, may be left without offence, by whom ſo euer it be done: he is bounden in conſcience to leue it tyll he haue opened the matier ſo playnely to them, that their offence ſhal therin ceſſe, oneles they be

fallen

fallen into the sclander of the Phari-
sies: how moche moze then are spiri-
tual men (that haue taken the charge
ouer the people) bounden to leaue all
suche thinges, as the peple offende by
by their occasiō, what so euer they be
that may laufully be left, though they
be indifferent, oz percase good dedes
of thē selfe (verily moch moze) & if thei
be boūd to leue such good dedes, oz in
differēt dedes, foz the offēce of the peo
ple, that myght folowe therby: than
ar they most specially bound to leaue
all thynges, that be euylle, oz haue
apparance of euyl, to helpe the iudge
mēt and suspicion of the people. And
of this matter I haue somwhat spo-
ken in the laste chapiter of the sayde
tretise, but master Mooze doth nat re
gard that poynt, but endeuozeth him
selfe very moche to oppzesse all them
that wyll shewe suche thynges of the
spiritualtie, oz speke of them, and di-
uiseth nothinge howe to haue the de-

fautes

fautes amẽded, ne prouideth not any maner of remedy therin, but after his minde proueth an intollerable defaut in the people, by suche iudgementes, where he thynketh they had no cause so to do, and yet they haue in dede, & there he leauith them, as though the hole cause & principall defautes were fully in them. And surely in that iuge ment he is right farre deceyued. And yet though it were as he sayth therin, the spiritualte were not therfore clere ly discharged, for the causes before re hersed.

¶ An aunswere to two obiections of the said Apologie, the.iiij.chap.

I haue in the saide treatyse shewed some defautis in spiritual men, and also some in tẽporal men: And I haue said also, that spiritual men somtyme haue spoken euil wordes of laie men, and haue sayde that they loue no pre-stes: and that somtime laie men haue done

done like wise of spiritual men, affirming that there is no good prest, and that some lay men wyl cal them horeson prieſtes: And therfore I saye ferther there, that if al these wordis were prohibited on bothe parties, it wolde do gret good. And to proue that this maner of handling is not conuenient for makinge of a peace, but rather to make more variance betwyxte them, maister Moore bringeth in this example, that if there were a variaunce betwixt a man and his wyfe, & one that intendeth to pacifie them, wold shewe the one of them the defautes of the other: that that shulde haplie displease them both, specially if it were shewed before their neighbours: and than he thinketh it is so lykewyse in this case, to shewe the defautes betwixt the spiritualtie and the temporaltie openly. And verily I merueyle moche, that maister More wyll bryngе forth that example of a man and his wyfe, and com=

compare it to the ſpiritualtie and the tempozaltie: Foz there is moſte commonly ſuche a tenderneſſe of loue betwyxte a man and his wyfe, thoughe there appere ſomtyme ſome outward variãce to be betwixte them, that if a man wolde ſhewe the one of them the others defaute, & that ſpecially afoze their neyghbours, he might haply diſpleſe them both & do but lyttel good, as mayſter Moze ſaith: but the moze pitie is, there is no ſuche tendernes of loue in this caſe nowe betwixt the ſpiritualtie and tempozalte: Foz as it is wel knowē, as the wozlde goeth now the ſpiritualtie, as to the multitude, may bere it righte well in gree to here the tempozalte openly diſpzaiſed, and in lyke wyſe ſome of the tempozaltie may bere it righte well in pacience, to here defautis leid in the ſpiritualte, in ſo moche that as it is oft times ſene, if a pzieſt be amonge lay men, he can not better content them, as to mooſte

companies, than to speke of the pride and couetice of priestes. And in lyke wyse a lay mã that is among prestis, can not better please them, as to many priestes, than to say that laye men do not loue priestes, ne honour them, as they shulde do. And therfore it appereth euidently, that maister Mores similitude serueth not in this case: but what so euer it be in this case of shewyng of the defautes of the one to the other, yet I wot not what hurt coude come of it to prohibite, that neither partie shulde speke vnsitting wordes of the other, and so it semeth that in these two poyntes, mayster Moore wolde haue founde a defaute, where there was none.

¶ And then to an other obiectiõ that he layeth, where it appereth that he wold haue had the defautes of the spiritualtie, cõteyned in the second chap. of the said tretise more secretly shewid vnto them, thã they be in the sayd tretise

tise, that is to say in latine tongue, as the famous clerke Johñ Gerson recíteth them, & not in the englishe tõgue. To that it may be answered, that the said Johñ Gerson wrote the sayd defautes to the general consaile, and to haue writen them thither in his vulgare tongue, that is to say in the frenche tongue, it had not ben cõuenient: for there were mo at that general consaile, that vnderstode not the frenche tongue, then that vnderstode it: but the saide treatise was made onely for the peple of this realme, and therfore the englishe tõge in this realme was moste conuenient. And ouer that sith spirituall men haue had the sayde defautes, and diuers other, whiche be omittid in the saide treatise, in latine euer sith the time of the said Johñ Gerson, and yet appereth litell frute of amendement therby. And seinge also that it is not prohibitid, but that they might laufully be translated into en-

 glishe

glishe: therfore I haue brought som of them into the englishe tōgue, to the intent that some good man, that shal rede them hereafter, shall haplie put them in remembrance in suche maner that there shall folowe some good reformation: And I haue spoken of defautes and abuses in the spiritualtie, more then of defautis in the tēporaltie, bicause the spiritualte ought to be the gyders & gyuers of light by theyr doctrine and good examples to the tē poralte: & if their light be derkenes, where shal the temporalte then fetche their light? truely I wote not where. And I doubt that then they both shal walke styll in derkenes. And therfore it is that Iohñ Chrysostom saith vpon Matthewe the. xxi. Chap. That if preesthode be holle and sounde, all the churche flourysheth: and if it be corrupte, the feyth and vertue of the people fadeth also & vanisheth away. Let this therfore as to this poynte be

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the final cõclusion for this tyme, that who so euer proueth defautes to be in the temporaltie, he prouith also defautes to reigne in the spiritualtie: and therfore the defautes in the temporaltie wyll neuer be auoyded, tyl the defautes in the spiritualtie be fyrste reformed: and therfore haue I fyrst spoken of som defautes that be in the spiritualtie. And though maister More can not denie them, yet al the amendmentis that he aleith in his Apologie is onely in punishment of hereſies, as is said before: wherunto he specially moueth the ordinaries not to be slack nor the more remysse for feare of euill wordes and sclaunder of the people. And if they be therfore the more slack in calling, attaching, and examining, and farther ordering of heretikes: he saith, god wyl not faile to make falle in theyr neckes the double sclander of that, fro whens they fled. And in an other place he moueth the temporalte

to ioyn with the ſpiritualtie eche with other louingly to repreſſe & kepe vnder thoſe vngratious folke, by whom he meaneth heretikes. Upon whiche mocion I ſhall ſomewhat ſhewe my mynde, as here after foloweth in the nexte chapitre.

An other cõſideration. The.v.chap.

IT is to be conſidered, that there ar in this realme, to that purpoſe that I intẽd with goddis grace to ſpeke of nowe in this chapitre, foure ſortis of people, wherof the firſt ſort is of good men ſpiritual and tempoꝛal, that liue wel and do good dedes, gyue good examples to the people, do no wꝛonge to their neighbours wittingly, and if they do any ignoꝛantly, they ar glad when they know it, to make amẽdes, and ouer this they kepe the trewe catholical feith: how be it foꝛ a ſpiritual weikenes that is in them, and foꝛ an inoꝛdinat loue that they haue to their owne

owne bodily eaſe, they wylle take no peyne ne diſpleaſure for meintenance of the feithe, ne for the good ordre of the people, nor care not for it: ſo that they lyue well them ſelfe.

The ſeconde ſorte is noted to be of them that lyue wel, & do wel, & beleue in euery thing, as the firſt ſort do, and ouer that if they here of any errours, hereſies, or other defautis in any perſon, they will gladly (to their power) helpe to reforme & remoue them from it. And al this they do through ſpecial grace for the loue of god and of their neighbours. And theſe be of the beſte ſort of the people, our lorde ſende vs many of them. Amen.

The thirde ſorte of peple is of them, that kepe the catholical feith, & wolde gladly that al other ſhuld kepe it alſo as they do: howe be it their feithe for lacke of good dedes, is but a naked feith: for they many times greue their neighbours by their exactions, and

ſhewe

shewe many euil examples to the peo ple, wherby many do offend almighti god: And yet though they shewe such euil examples, and also vse and suffre to be vsed many thinges ageinst cha= ritie, and ageinst diuers thinges gra= ciously ordeined by Christ, and by his churche for the welthe of his christen people, and suche as they might also right wel amende, if they wolde: yet they haue a feruent desire to punyshe heresies, and they thinke it a greatte laude and preyse vnto them to do it, pretendinge also, that euery man is bounde to helpe them forwarde in it.

The. iiii. sorte of people is of them that lyue as the thyrde sorte doo, and wolde that heresies & other offenders were wel punisshed and corrected, so that they might be suffred to lyue con tinually in the honor, riches, & world ly plesures, as they do nowe: but yet they wyll not put to their handes to helpe forwarde suche punishement or cor=

correction, ne take any peyne therin, though they ſawe right great nede in it: and theſe be of the woꝛſte ſoꝛte of people beſoꝛe all other: excepte onely an other ſoꝛt of peple, which ſir Tho. Mooꝛe in his Apologie calleth ſometyme deſperate wꝛetches, ſometyme ſterke heretykes, and otherwhiles he calleth them the bleſſed bꝛotherhode, oꝛ the bleſſed bꝛetherne, the newe bꝛoched bꝛetherne, oꝛ the euangelical bꝛetherne: And thoſe that he noteth foꝛ moſt pꝛincipall doers amonge them, he calleth them potheded poſtels, and ſometyme the naughtie bꝛetherne, oꝛ the heretike bꝛetherne. Thus he makith them a meruellous company: foꝛ ſometyme he calleth them bleſſed bꝛetherne, and ſomtime the naughtie bꝛetherne oꝛ heretike bꝛethern, as beſoꝛe appereth: and ſo he maketh them as in his woꝛdes both good and badde. Theſe be ſtrange names diuiſed after a meruellous railing faſhion, wherin

I thinke verilye, he dothe not as he wolde de done to: for it appereth in his apologie, that he loueth no rayling toward hym selfe. But what he shuld meane by that terme (the newe brochid brethern) in good feith I can not tel: but when he calleth them the euangelical bretherne, me thinketh it is a commendacion to them, for it is good to folow the gospel, I prey god send vs many that wil do it. And now wyll I say somewhat ferther, concernyng this matier, and that is this. I merueile moche, howe maister More durst for offence of his cõscience, & for drede of the kinges displeasure, and of the holle realme, bring vp suche a sclãderous name in this realme, and put it in print, that may lightly touch not only many of the comon people, but also of the gretteste of the realme, as well spirituall as tempozall: if he and other of his affinitie lyste to calle any of theym one of the blessed bre-

thern

therne, or of the good bretherne. And in this poynte it semeth, that he forgate the honour of the realme, which he semed moche to regarde, whan he said: he coulde not thinke it to the honour of the realme, that other realmes shulde wene, that the hole clergie of this realme shuld be so farre fallen into the grudge and indignation of the hole temporaltie, as he saith it is spoken to be in the sayd Tretise, whiche he calleth the boke of diuision: for certainly it is more dishonour to the realme, to haue it noysed, that the realme is ful of heretikes, than that the temporaltie grudgeth ageynst the spiritualte: and so he escheweth & fleeth the lesse sclander, though it were all true that he saith, and renneth heedling into the greatter.

And thã ferthermore where sir Tho. Moore maketh this motion, that the hole corps of the spiritualtie and temporaltie bothe, with other louingely

shulde

ſhuld accord and agree to gether, and according to the good ancient lawes and commendable vſes longe continued in this noble realme, either part ſhulde endeuoir them ſelfe diligently to oppreſſe and kepe vnder thoſe euil & vngratious folke there remẽbred, wherbi he meaneth heretikes. I wold with his fauour witte, what he wold ſay, if this motion were made before that ioynynge together, that euerye man that intended that oppreſſing & keppyng vnder of thoſe that he callith the euyll and vngracious folke, ſhuld firſte auoyde all their owne abuſions and euyl examples, that might be occaſion to cauſe them, that they wolde ſo oppreſſe and kepe vnder, to murmure and grudge, and to reſiſte the more al good corrections, and then louingly to ioyne to gether, and ſe them puniſhed, that wold be obſtinate, and not receyue the holſome monicions & good doctrines of theyr ſuperiours.

And

And that therupon ſome other wolde ſaye agayne to them, that made that mocion thus: they noꝛ ye nether haue nought to do with our offēces, ne euil examples: and thoughe we be offenders in ſom degree of offence, yet that offence is no cauſe to make them heretikes, ne to foꝛſake the true catholic feithe: and therfoꝛe but ye ioyne with vs to helpe them puniſhed, ye be woꝛthye to be noted as fauoꝛers of their hereſies, and to be taken as men that care but lyttel foꝛ the true catholicall feithe: ℑ wolde ſuppoſe, that maſter Woꝛe him ſelfe wold not thynke this to be a reſonable and a charitable anſwere, noꝛ certaynly no moꝛe it were: foꝛ they that wil coꝛrect other, ought after the due oꝛder of charitie to reforme them ſelfe firſte, er they do that coꝛrection: howe be it ℑ do not mene therbi, that it is not lauful foꝛ rulers, that be offenders, to do coꝛrection, ne that inferiours might therfoꝛe lauful

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ly reſiſt it: but I meane, that it is not ſo conuenient for them, that be offenders, and that giue euill exãple to the people, to doo correction, as it is for them that lyue well and ſhewe good exãple to the people, ne that their correction ſhal not be ſo wel obeyed, as if they wolde correcte them ſelfe fyrſte. And therfore if they will yet nedely forthe with harde punyſſhymentes, and ſtreit corrections, without remouing ſuche occaſions, it is to fere, that litel profite ſhal grow therby, neither to them ſelfe, ne yet to them that they ſo punyſſhe, nor parauenture to other that ſhal here of it. And though maſter Moyſe ſpeke moch of ſuche a brotherhode, as is remẽbred before, whiche might be taken perauenture after his mynde, for the.v. ſorte of people: yet I take it not ſo, for in good feith I knowe no ſuche brotherhode, and truſt verily alſo, that there is none ſuche in dede within this realme: wherfore

foze I coũted them not foz any of the soztes of people, that I intended to treate of in this chapitre.

¶ That the sayde Apologie mystaketh the letter of the sayd tretise in dyuers thinges. The.vi. Cha.

FIrste in the said treatise it is conteyned, that some men haue said, that as they thynke, it is laufull and also expedient, that the churche haue possessions, but they thinke that the great abundance, that is in the churche, doth great hurt, and enduceth in many of them a loue of wozldly thinges, and letteth, & in maner strãgleth the loue of god. And vpon these wozdes maister Mooze in his Apologie sayth, that the said reson renneth out ageynste euery kinde of men spiritual and tempozall, that haue possessions: but he hathe not playnely declared, what he meaneth by tho wardes (renneth out) foz if he meane therby, that the

the wordes of the said treatise shulde sounde to this effect, that it is neither lauful to spiritual men nor to temporal men to haue abundãce of possessions, than he clerely mistaketh the lettre of the said treatise, for the said lettre is onely spoken of spirituall men, as it appereth euidently: And if his meaning be, that he wil compare the abundance of spirituall men, and temporal men to gether, and to be like to al intêtes, so that it is as cõueniẽt for spirituall men as for temporall men, to haue abundaunce of possessions: then me semeth, he erreth greatly: for though it be laufull to spirituall men to haue possessions, yet it stãdeth not so wel with the perfection of spiritual men, to haue abundance of possessiõs, as to temporal men: for it mai be that the orderinge and disposinge of that habundance shall many tymes let the feruour of charitie, the zele of soules, and the hyghnes of contemplacion, that

that ought to be in ſpiritual men, mo che moze than in tempozall men: ſo that the ozdering and treatinge ther= of may be ſomtime a ſynne to ſpiritu= all men (at the leeſte a veniall ſynne) that ſhulde be no ſynne to a tempozal man. And there is no ſynne though it be onely veniall, but it letteth the fer= uour of charitie, though it clerely ex= tincte hit not. And the wozdes of the ſaid tretiſe aboue reherſed be not, that habundance clerely ſtrāgleth the loue of god, but that in ſome of them, that is to ſay in ſom ſpiritual men, in ma= ner it ſtrangleth it, as who ſaythe, it miniſheth in ſom of them the feruour of it. And ſo the ſayd treatiſe renneth not out ageinſt no tempozal man, ne yet ageinſt al ſpiritual men: foz it mai ſtande therwith, that ſome ſpirituall men may haue abundaunce with the hyghnes of contemplation, but that is a ſinguler gifte gyuen but to fewe. And therfoze to thintēt that the pope

Eugenius (which before that he was elected pope, was monke vnder ſeint Bernarde) ſhuld the rather atteine to that gifte of contẽplacion, ſeynt Bernarde aduertiſed hym, that as to the order and diſpoſition of tẽporal thinges, he ſhuld cõmyt them to other vnder hym, that he might the more frely take hede to heuenly thinges. And for as moche as it ſemeth, that ſir Tho. Moore, by theſe wordes that he hath ſpoken afore, entendeth to fauour the poſſeſſions of the churche: I ſomewhat meruele of his wordes, that he ſpeaketh in the later ende of the. xxij. chap. of his Apologie, where he ſaith thus: that by his truth he meruaileth moche to ſe ſome folke nowe ſo moche and ſo boldly to ſpeake of takinge away any poſſeſſions of the clergie: for he ſayth, that ones in the tyme of the famous prince kynge Henry the. iiij. about the time of a great rumble that the heretikes made, whan they wolde

haue

haue distroyed not the clergie onely, but the king also and his nobilitie to, there was a folishe bil and a falce put into a parliament or twayn, and sped as they were worthy: yet hadde I neuer seith he, founden in all my tyme, while I was conuersant in the court, of all the nobilitie of this lande aboue the nombre of. vii. of whiche seuen there ar nowe thre deed, that euer I perceyued to be of the mynde, that it were either righte or reasonable, or coude be to the realm profitable, with out lauful cause, to take any possessions away from the clergie. And sithe maister Moore seith, that he hath not knowen aboue seuen, wherof he saith thre are deed, that were of the mynde, that it were resonable without cause, to take possessions frome the clergie, In whiche wordes it is includid, that he knewe seuen of that mynde, whose opinions it liketh hun to reherse and put in writinge and in printe also: it

ſemeth, that if they wolde haue ſayde, that it had ben lauful with a cauſe to take poſſeſſions from the churche, he wolde haue allowed that ſaying moche better than the other: but what cauſe he wolde thynke reaſonable in that behalfe to take the poſſeſſions from the clergie, and what not, I can not telle. But perauenture if he were aſked the queſtion therin, by theym that had auctoritie to do it, he wolde ſhewe what he mente therby: but in good feith taking his wordes as they be, when they be leyd to gether, I can not perceyue whether his meanynge be, that poſſeſſions maye be laufully taken from the clergie or not, but he that liſt to rede his wordis aduiſedly, ſhal perauẽture pceyue more in them thã I do. And now by occaſiõ of that that is ſayde before of the poſſeſſions of the churche I ſhal ſpeke ſomwhat ferther therin, thã I thought to haue done, and that is this: that if it were

ordei=

ordeyned by parlyamente, that there shulde no possessions come hereafter of new to the clergie, onles it were for any fundacion, that the kingis grace wolde make of his owne mere moci= on, that it were a good ordenãce. And ferthermore I wyl confesse also, that I haue desired many tymes: that like charitie, mekenes, zele of sowles, zele of the christẽ faith, the same spirite of counsayle, and the true doctrine, that was in the apostelles and disciples of our lorde, may now be in our bishops and pristes, which be their successors: for then certein it is, that al these mur murs, gruges, and discentions shuld shortly haue an ende: But to say, that euer I coueited or desired, that lyke pouertie, as was in the apostels and disciples, shuld nowe be in bishops & pristes, I neuer desired it: For I haue not sene ne yet can see, that like pouer tie were nowe expedient for the conti= nuance of the faith, as was than expe

diente for the begynnynge of the fel-
the: but yet I thinke that it be right
expedient, for them that haue aboun-
daunce of possessions, to be welle
ware, leste happely it be to them as a
pricke or a thorne to pricke them vp
from the rest of prayour and contem-
plation that they shulde haue to god:
to the clamorous noyse of worldy bu-
synes, and to a loue of worldly thyn-
ges, and so hinder the cleane and pure
loue and affection, that they ought to
haue to almighti god, & to their neigh
bours: for surely but they take good
hede, it wyl be so.

¶ An answere to two other obiec-
tions of the saide apologie.
The. vii. Chap.

It is sayd in the begynninge of the
said tretise, that it is to be lamẽtid,
that enuy, pride, diuision, and stryfe
rayneth not onely betwene laye men
and

and lay men, but also betwene religi=
ous and religious, and betwene pre=
stes & religious, And that is yet more
to be lamented, also betwene prieſtes
and priſtes. Upon whiche wordes ſir
Tho. More in his apologie taketh it
that the ſaide treatiſe lamenteth more
the variance betwene priſtes and pri=
ſtes, then betwixt religious and reli=
gious, for that as he taketh it, that I
ſhuld accompt the ſtate of prieſthode
more perfit, then the ſtate of religion,
and ſo the offences of prieſthode to be
greater than the offence of religious.
And verilye that can not be taken by
the ſaid wordes, and that for two cau
ſes, wherof the firſt is this: It appe=
rith, that al the ſaid ſentẽce of the ſaid
treatiſe, wherin the variance betwene
ſpiritual perſons is lamented, is one
hole ſentence, and concerneth the va=
riances that be and haue ben as well
betwixt religious and religious, and
betwene prieſtes and religious, as al
ſo

ſo betwixte prieſtis and prieſtis. And bicauſe the variãces, that be betwene them al, ar moze to be lamented, then if they had bene onely betwene parte of them. Therfoze when the variances betwixte religious and religious, and betwixte prieſtes and religious, be fyrſte recited in the ſaid treatiſe, it foloweth after, And that is yet moze to be lamented, that it is alſo betwene prieſtes and prieſtes: As who ſaithe, it is moze to be lamented, when variances be betwene them all, in all the ſaid thze degrees, then if they were betwene them onely in the firſte two degrees, that is to ſay betwixt religious and religious, and betwixt prieſtes & religious, and not betwene prieſtis & prieſtis. And therfoze the ſaid treatiſe ſheweth, that variances be betwene ſpirituall men in all the ſaid thzee degrees. wherfoze they be the moze to be lamented, and not bicauſe the offence of prieſtis is moze than the offence of reli=

religious. And surely by this exceptiō it appereth, that maister Moze hath a right great & a high inuentiue wit, wherby he can lightly turn a sentence after his appetite. And therfoze if he wil, to that high witte set a good wil, & a good intent in all his wozkes, he shall surely do moche good. And if he wil vse it to derken a sentence, and to couert and kepe secrete the truthe: he may do great hurt, and that moze thā he shall thinke him selfe.

The seconde cause is this. Though it were admitted, that the said sentēce shulde sounde to this effecte, that the variāces betwixt pziestis and pziestis were moze to be lamentèd, than the variances betwixt religious & religious, oz betwixte pziestis & religious: yet in this case it coude not be reasonably taken to be so, bycause the state of pziesthode is moze perfite, then is the state of religiō, but rather foz this cause folowynge. It appereth, that

al the intent of the said tretise is to la-
mente the diuision, that is nowe be-
twixt the spiritualtie and the tempo-
raltie in this realme, and therwith to
moue howe and in what maner a vni
tie might be had vpon the same: and
therfore this name is sette vppon the
said tretise, A treatise concerning the
diuision betwixt the spiritualtie and
temporaltie. And then immediatly fo
lowing the name, in the declaration
of the said treatise, whiche is in the be
ginnynge of the boke before the firste
chapiter, it is said, That if they that
may do most good towardes the said
vnitie, wil take the articles of the said
treatise, as lytell tytlinges to bryng
som weightier thinges into their min
des concernynge the same: and then
by their wisedomes wyll adde theym
therunto, and as they shall seme ne
cessarie to se them al put in due execu-
cio: that in shorte tyme they shal bring
this matter to good effecte, to the ho-
nour

nour of god, and the cõmon welthe & quietnes of al the kyngis subiectis. And so it appereth, that the said treatise hath a speciall respecte to a peace and vnitie to be had betwixt the spiritualtie and the temporalte, and to the cõmon welthe and quietnes of all the kingis subiectes. And for as moche as pristis be more vniuersally abrode in the realme in euery cite, towne, and many particular houses & villages, more than religious men be, so that their good exãple may do more good vniuersally amonge the people, then the examples of religious men may, whiche be not so vniuersally conuersant among the people, as pristis be: And that the euyl examples of pristis may by lyke reason do more hurte to the people, then the euil examples of religious men maye do: Therfore it may be right conueniently saide, that the diuision betwixt priestis and pristes is more to be lamented, then the diui-

diuision betwixt religious and religi
ous, and not for that, that the perfe-
ction of prieſtis is aboue the perfectiō
of religious. And if maiſter Moore
wyll haply saye, that there is no ſuche
variance betwixt prieſtis and priſtis,
let hym loke vnto the variances that
be & haue ben in many places betwixt
curates and chauntry prieſtis vpon
the ſtatute prouincial, which appoyn
teth howe chauntreprieſtis and other
prieſtis, beinge in the pariſſhe, ſhall
ordre them ſelfe to the curate. And let
hym loke alſo to the variances, that
ſomtyme haue riſen vpon preſentmē=
tes to benefices, in howe extreme and
worldly maner one prieſte hath ſued
agaynſt an other. And lyke wyſe for
tithes, and other ſpirituall dueties.
And though thoſe variances and ſui=
tes haue not bene vniuerſal in al pla-
ces, god forbede they ſhulde, yet they
haue bene ſpoken of and knowen in
right many places, to the great offēce

and

and euil example of a right gret mul-
titude of the laie people. And therfore
it may be conueniently saide, that the
diuision betwixte prieſtis and pristis,
is more to be lamented, then the diui-
sion betwixt religious and religious.
And if maister Moore wold charita-
bly, and to the beste so haue taken it,
he shulde not haue neded to haue ta-
ken so moche peyn as he hath done in
the making of the saide exception, ne
yet to haue caused me to haue taken
so moch peyn in the answeryng. How
be it euery light exception wyl not be
so sone answered, as it may be taken.
And than he goeth farther and takith
yet a more light exceptiõ, than he dyd
fyrste. For he sayth, f. 102. that some
say, that some religious be prieſtis,
and that as many prieſtis be also re-
ligious, and therupon he maketh a
doubte, what I shuld meane by these
wordes (betwixt prieſtis and pristes.)
But howe lyttell morall lernynge or
goostly

goſtely profite foloweth vpon that ex ception, it is apparant. For ywis euerye man knoweth that ſome prieſtes be religious, and that as many religious be prieſtes: But by that worde prieſtis I toke it, and yet do take it to be vnderſtande ſeculer prieſtes, and not religious prieſtis: for ſo it hathe ben alway taken by a common acceptaunce and vſe amonge the people in tyme paſte, that is to ſaye, that whan a man ſpeketh of prieſtes, it is to be vnderſtande of ſeculer prieſtis, and not of religious prieſtis. As if a man wil ſay, he ſawe in ſuche a churche, or at ſuche a ſermon an. C. or. ij. C. prieſtes: All the herers wyl vnderſtande, that he meaneth it of ſeculer prieſtis, and not of religious: without he ſhew it hym ſelfe that they were religious. And there is alſo in the lawe of the realme (as maiſter Moore knoweth right well) ſome ſuche caſes, that the common opinion of the people hath

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dyuen a certayntie of meanynge in dyuers thynges, whiche the law hath amytted, so that no man shall be receyued to say it was otherwise ment, but as the lawe groũded vpon the cõmon opiniõ of the peple hath acceptid it. As if a man be boũde to pay an. C. li. at London, it shal be vnderstand of the citie of London, in so moche that thoughe there were an nother towne called London, and that he that was bounde, thought that he shulde haue payd it there: yet for the cõmon amittance of al the people of the realme in that case, that by this terme London hath vnderstonde the citie of Lõdon, hit shall be vnderstande of the citie of London, and there he shal be bounde to pay it. And so it is if a man be boũd to pay. xx. li. at Michaelmas in suche a yere, he shalbe bounde to paye it at the feaste of sayncte Mighell, that is the. xxix. day of Septembre, and yet there be other festes of seynt Michel,

as

as Michaelis in monte tumba, & also the ap
parition of saint Mighell, but these
feastes are not vnderstande amonge
the people by that generall terme of
Mighelmas, but the other feest, wher
at commonly rentes be payde, leases
begyn, seruantes be most commonly
reteyned and depart, and suche other.
And therfore whanne it is spoken of
Michaelmas, hit is vnderstande of
the said feest in the later ende of Sep
tembre. And therfore though maister
Moore doo not vnderstonde by that
worde presbitis seculer prestes, yet the
common vse and acceptaunce of the
people wyll take it so. But nowe ad-
mitte it, that both the saide obiection
of syr Tho. More were good, & that
it were graunted hym, that he shulde
haue al his mynd therin: yet if it were
well considered, how lytel frute shuld
folowe of his exceptions, it might be
meruayled, why he toke theym. For
surely no amendment ne reformation

coulde

coulde folowe vpon them. And if his Apologie be well & throughely loked vpon, concernyng the ſaid tretiſe: it is lyke wiſe of dyuers other of his ob iections in his apologie: And though I haue not ſaid ſo at thende of euery ſuch obiection, that I haue anſwered to, and ſhal anſwere to: yet the reder whan he hath redde any of my ſayde anſwers, may conſider to what effect the obiection, that maſter Woze doth make in that behalfe, ſhuld ſerue: Admytte it to be trewe all that he ſaide, & he ſhall fynde that in many of them it ſerueth neither to make peace ne reformatiõ, but either to perſuade, that ſom thing that I haue leide foz cauſe of diuiſion, is no cauſe of diuiſion: oz els to perſwade ſtreite punyſſhement and cozrection foz hereſies: and that vnder ſuche maner, that if his mynde were folowed in euery thing, it might happen that innocentes might ſome tyme be therby puniſhed, as well as

the greatteſt offenders.

¶ Of woꝛldly honour. The viij. Chapitre.

IN the ſaid treatiſe, in the fyꝛſt chapitre, it is ſaid thus: And ſome laie mē ſey ferther, that though religious men haue varied with religious, and that ſome pꝛieſtis haue varyed alſo with religious in ſome poyntes, concerning the pꝛeheminence of their perfection (as is ſaid befoꝛe) that yet in ſuche thinges as perteyn to the maintenance of the woꝛldely honour of the churche, and of ſpiritual men, whiche they cal the honour of god, and in ſuche thinges as perteyn to the increaſe of the ryches of ſpiritual men, religious oꝛ ſecular, they ſey, they agree al in one. And when maiſter Moꝛe hath reherſed the ſaide woꝛdes of the ſaide treatiſe, he ſaith thus: As foꝛ calling the woꝛldly honour of the churche & of ſpiritual men the honour of god, I

wote

wote nere whether I perceyue well, what this mā menith therbi. And ther fore to remoue the doubt, that maister Moore is in, in that behalfe, I shall speke somwhat ferther of honour thā I dydde in the said tretise, as I haue fonde it writen by other, and that is: Fyrst I fynde written, that honour is onely due for vertue. Also that no mā may couet honour withoute offence, except it be onely coueited to the honour of god. And I fynde also, that an inordinate appetite of honour is deedly sinne of hym that coueteth it: like as ambition is deedly synne. And therfore it is sayde, viij. q. i. in scripturis, that to hym that desireth honour, it is to be denied: and to hym that refuseth it, it is to be offered. And the philosopher, iij. Ethic. sayth, that they be not sothfastly stronge, that for honor do great thinges. wherby it semeth, that his mening is, that stronge thinges and thynges of great difficultie,

ar to be done for loue of vertu, rather then for loue of honour. Thē I mene ferther, that if any spiritual mā wold accepte a worldly honour, by reason of any spiritual dignitie, & god were therby dishonored, as it may be by many circūstances, as if for suche worldly honour charitie be in any maner broken or denied, iustice delaied, any of the. vij. sacramentes not duly ministred: or the people not diligentely and plainly instructed: that then it is not to be called honour to god, but rather dishonour, and that yet som laye men say, they cal it an honour to god. And surely the truthe is, that many laie men sey, that for the meintenance of such worldli honour, spiritual men both religious and seculer, be negligent somtyme in suche thinges, as be before rehersed, and that yet they call suche worldly honour the honour of god. And if it be not so as they sey, thē ar spiritual rulers bonden to help the

people

people out of that iugement, and els they be not without offence them self. And if it be as the people say, than ar spiritual men bounde to reforme it. And whether there be such a iugemēt in many of the people or not, that is to sey, that spiritual men agree in one to meynteyne the worldly honour of the churche: let the cōmon opinion of moche parte of the people spirituall & temporal, be iuge, whether many lay men say so or not.

And then maister Moore goeth ferther and sayth: that where I saye (as before appereth) that some laie men saye, that in al suche thinges, that is to say for the worldly honour and riches of the church, al the clergie both seculer and religious agree to gether, he sayth: that I can (if I wil) tel the same some laie men, that so tolde me, that some other lay men say nay: for they sey that they se verie wel, that in al those thingis there are nowe some

ſuche of the clergie, ſuch as it is pitie, that euer they were therof, either ſecular prieſtes or religious perſons. And yet are there ſaith maiſter Moꝛe ſome ſuche of bothe, whiche nowe caſte of their fauoure frome bothe twayne, and fro the chriſten feithe alſo. This is a very derke ſentence, ſo moche intriked with ſome ſayes, after the maner of a geſtyng facion, that it is ſomwhat harde to perceyue his mynde in it: but yet two thinges there be, that I note in tho woꝛdes, whereunto I ſhall ſhewe my conceyte: One is, that he ſaith, that I can tell, if I wyl, that ſome lay men ſay, that prieſtes and religious do not agree in that poynt to meinteyn woꝛldly honour and riches of ſpiritual men: And in good faithe I do not remembꝛe, that euer any lay manne ſayde nay therto. And ferther moꝛe it is but a ſmalle reaſon to perſuade that prieſtes and religious do not agree in that poynt, bicauſe ſome

lay

laie men shulde sey to me, that they se verie wel, that some of the clergie be fallen from them bothe into heresies, that he there remembreth, that wyll not therfore as his menyng is, in tho poyntes, ne in none other agree with them that be catholike. For though it were admitted, that some be fallen into heresies: yet it is not like, that that some is so great, ne maister Moore sayth not hym selfe, that it is so great but that priestis and religious as to the multitude may yet beside them agree in one to the meintenãce of their worldly honoure.

The seconde is, that as I take it, he saith, that I can telle, if I will, that some laie men sey, that they see verye wel, that there ar som such of the clergie, suche as it is pitie that euer they were therof, either secular priestes or religious persons. And verily if his wordes there shalbe takẽ to be of that effecte, as I take them to be, that lay

men say so, thē I shal answer to them thus, that in good feith there was neuer any laie man, ne yet religious, to my remembrance, that hath tolde me, that there were any suche in the clergie, suche as hit was pitie, that euer they were therof. And I can not see how any man might sey so, & be sure that he sayth truthe. For thoughe hit were so, that ther were som such of the clergie, that were fallen into suche heresies, as he speketh of: yet to sey, that it is pitie, that euer they were eyther secular prestes or religious: I can not se howe that can be affirmed with out offence. For none is so euil, but he may amende, and so may they, if any suche be, and shal than haue the accidentall rewarde for their estate of lyuynge, beside the cōmon rewarde of charite, that euery good christen man shal haue, as wel as if they had neuer offended. And verily me thinketh tho wordes shulde be some what dange-

rous

rous for any man to ſey, that it was pitie, that euer they were ſecular preſtes or religious. For it ſhulde ſeme, that tho wordes ſhulde amount to as moche, as that repentance ſhulde not be of effecte hereafter to them: or that they wolde neuer repent. And that I can not thinke to be his meanynge. For many tymes he commendeth the ſacrament of penance. And therfore his meanynge ſemeth to be, that tho lay men, that ſo reporte, ſhuld meane by thoo wordes, that there are nowe ſom of the clergie, both priſtes & religious, that if they cõtinue in the ſame mynde, as they be nowe of, without repentance: that they ſhulde not dye in the ſtate of grace. But if he mente by his wordes ſo, it had ben wel done that he had plainly ſhewed his minde that he mente ſo: or elles peraduenture ſome other myghte myſtake the intẽt of his writyng therin, as he him ſelfe might happen to do, if the ſame

wordis were writtẽ by an other mã. And though there were any men religious or pristis, whiche god forbede, that died finally without repẽtãce: yet it is to me a great doubte, whether it might be saide & verified, that it was pitie that euer they were religious or pristis. For as me semeth, it may not be wel said, that it was pite, that euer the diuel was create. For he hath for his malice his iuste punicion, whiche cõmendeth hyghly in almighty god, his rightwise iugement.

Also me semeth, that som other wordes, that mayster Moore speaketh ageinst offenders, be somtime very sore and hardly standynge with charitie, as to cal any man desperate wretche, or to sey that he is perished in his obstinacie, or suche other. And I truste, that there is no suche desperate wretche lyuing in this world. And if there were, I think verily if maister More thought he coulde doo hym any com-

fort,

forte, he wolde leaue honour, landis, & goodis, to se if he coude cõfort hym, and so perauenture to saue hym in bo die and in soule, rather then to se him finally perishe. And surely so oughte euery christen mã to do spirituall and tempozal, but most specially spiritual men, by reson of the perfection of liuing, that they haue takẽ vpon them, moze then any tempozal man hath.

¶ The.ix. Chapiter.

IN the said treatise, in the fyrst chapitre, it is recited among other thinges, that some men say, that all spiritual mẽ, as to the multitude, be moze diligent to enduce the people to suche thinges as shall bzynge ryches to the church, as to giue money to trentals, and to funde chanteries and obites, and to obteyne pardons, and to go on pylgremages, and suche other, rather thã they be to enduce them to the pai-

ment

ment of their debtis, to make restitu-
cion for suche wronges as they haue
done, or to do the workes of mercy to
their neighbours, that be pore & nedi,
and that somtyme be also in right ex-
treme necessite. And vpon these wor-
des mayster Moore in his Apologie
persuadeth, that it is to be cõsidered,
that littel profite cometh to the chur-
che by all these thinges, and specially
of trentals, he sayth thus: Lo (sayth
he) they be the thinges ye wote wel,
wherby the multitude of the clergie,
and specially the prelates, get euerye
man amonge them an infinite treasure
in a yere, so that hit is no meruaylle,
though the hole clergie secular and re
ligious, what variaunce so euer they
haue amõge them selfe beside, concer-
ning the preheminence of their perfe-
ction, agree to gether. But surely all
these wordes of maist More answere
not to the effecte of the sayde treatise.
For the effecte of the saide treatise is,

that

that debtes and restitutiõs ought after the due order of charitie, first to be done before trentalles, foundynge of chantries and obites, or suche other: but when debtis and restitutions be made, and poore men in extreme necessitie somewhat prouyded for: then the said treatise speaketh nothynge ageynst it, but that it is right good to haue obites, trentals, chanteries, and suche other dedes of supererrogation done for them & for their ancestours, after as their deuotion gyueth. And surely seing that this matter is so necessarie a thinge for the good order of charitie amonge a great parte of the people to be loked on, I meruaylle greatly, that maister Moore speketh no more to helpe it forwarde than he dothe. For the most that he doth therin is to make it appere, that littel profite cometh therby to spiritual men, religious or secular: so that there is no likelyhode, that al spirituall men, as

to

to the multitude, shulde be more diligent to induce the people to such thinges, then to paiement of debtis, makinge of restitutions, or to do good dedes for reliefe of their poore neighbours. But to what effecte this persuasion serueth, verily I se not: For be the profite great or littel, it spirituall men, for the profyte therof, suche as it is, be it more or lesse, be more diligent to meinteine it, then the other before rehersed, that be more charitable then that is: wolde it not be lokid on and refourmed, and be broughte hens forward into a good charitable wey? Verily I trowe no man wil sey the contrarie. And yet maister More doth no more, but as it is said before, fyrste persuadeth the profites to be litell, and after he thanketh god, he neuer harde of any one, that euer wolde giue that conseile. But what helpeth that, though he neuer herde it, if it be yet so in dede, as he denyeth not expresly

prestly, but that it is: But for a likelihode, whether it be so or not, this may be considered, that certayne it is, that many wronges haue be done in tyme paste, bothe of landes and goodes. Wherfore restitution ought to haue ben made er that the sinne could haue be forgiuē. For saint Augustyn saith, *Non dimittitur peccatum, nisi restituatur ablatum*, that is to saye, The synne is not forgyuen, tyl the thing that is wrong fully taken away, be restored ageyne. And if this be true, let it then be considered, what it shulde meane, that so fewe restitutions haue ben made this xx. or. xxx. yeres passed, or perauenture more. And if it be said, that men be so loth to haue their wronges knowen, that they wyl in no wise make restitutiō: it may be answered, that though some percase be so harde harted, that they wold be loth to haue their wronges knowen, yet it is not like that all men wolde be so, if they had good charitable

ritable counsayle in that behalfe: but if the spirituall counsayle wyl enclyne more to trentals, obytes, makynge of chaunteries, and suche other, rather then to restitutiõs, the due examiatiõ that is requisite for makinge of restitutiõs, may lightly be forgoten, & so paũeture it hath bene in some places in time past. Howe be it the right noble prince of blessed memory kyng HENRY the. VII. father of our souerayne lorde the kynge, that nowe is, wylled restitutions to be made: but how his wyll was performed, I can nat tel: how be it what so euer was done therin, I suppose his good intente sufficith to him. And to the intent I wold haue this matter the better loked on, I wolde here aduertise sir Thomas Moore, not by way of argument but for the more clerenes of conscience, to consyder whether is the more charitable wey, first to make restitutiõs, pay dettes, and releue extreme pouer-

tie:

tie: and than after to do the other, yf he haue wherwith to do both, and els to do the firſte and let the other paſſe: And if he thinke that this wey, that I haue moued be the moze charitable wey, that then he helpe hit forwarde, rather than the other, and than not to blame any man that maketh that mocion, as though he were ageynſt trentals, obites, and ſuche other: for he is not ageynſt them directly, but onely intẽdeth to haue them chãged into a moze charitable order. For though prayers be right expedient and helthfull to the ſoule: yet they ſerue not in al caſes, as to diſcharge debtes or reſtitutions, where there is inough to paye them with: no moze then there can be founde any one ſalue, that can heale al maner of ſoores.

¶ The. x. Chapitre.

SIr Thomas Moze, in the. xxvii. chapitre of his apologie, fol. 162.

seyth thus: Verily for ought that I can se, a gret part of this proude and pompose apparel, that many priestis in yeres not longe paste ware by the pride and ouersight of som fewe, forced in a maner ayenst theyr owne willes to weare, was before his goodly conseile, so by this prety printed boke, priuely gyuen them in their ere (moch more I trow then the one halfe spent and in maner well worne out) I wote wel it is worne out with many, whiche intende hereafter to bye no more suche ageyne. And for the residue of the countenaunce I dare be bolde to warrant, that I canne fynde of those that moste may spende, whiche were they sure, that it shulde in this matter do any good, wolde be well content & withdrawe from al theyr other countenance the chiefe parte of their mouables and of their yerely liuelode, & out of hande bestowe the tone, & with their owne hande yerely bestowe the other

other openly amonge the poore. And I durst agayne be bolde to warrant, that if they so dyd, euen the selfe same folke, that nowe gruge and call them proude for theyr countenance, wolde then fynde as great a gruge, and call them hypocrites for theyr almes, and sey that they spende vpon naughtie beggers the good that was wonte to kepe good yomen. And that therby they bothe infeble and also dishonour the realme. Thus far go the wordes of sir Tho. More: wherby ye may perceyue the good minde, that many pristes haue concernynge pompous apparel, whiche they haue worne out, & neuer entende to bye no more, wherin they be right moche to be commẽded. And ye may perceyue also by his said wordes, the good mynde of some of those, that moste may spende, whiche (as he sayth) he dare be bolde to warrant, that if they knewe it wolde do good in this matier, wold well be con

tented to withdrawe from al theyr o-
ther countenance the chiefe parte of
their mouables, and of theyr yerely li
uelode to: and out of hande bestowe
the one, & with their owne hande yere
ly bestowe the other vpon the pooze.
And verily by these wordes he hathe
euidētly declared, that there is a right
good, blessed, and charitable mynde
in some spiritual men, that most may
despend, that is to say, to dispose their
landes and goodis in charitable ma-
ner, as befoze appereth. But thē how
the conclusion, that he maketh ther-
vpon, may stande with charitie, I can
nat tell. Foz he saythe after, that he
durste be bolde agayne to warrante,
that if they so did, euen the same selfe
folke, that nowe grudge and cal them
proude foz their countenance, wolde
then fynde as great a gruge, and call
them hypocritis foz theyr almes, and
say that they spende vppon noughtie
beggars the good that was wont to

kepe

kepe good yomen, And that therby they both enfeble and also dishonour the realme. I can not see, but that in this sayenge, he doth ageinst the gospell: For it is said Matt. viij. Nolite iudicare, & non iudicabimini, that is, Juge ye not, and ye shal not be iuged. And yet maister More iudgeth in this case to the worste a thing that is vncertayn. And he doth therin also ageynste the doctrine of saint Paule, whiche seyth Quis es tu, qui iudicas alienum seruum? that is to say, who art thou that iugest an other mans seruant? And he sayth also, Nolite iudicare ante tempus, Juge ye not before the time. And as me semith maister More by that iugement hath done ageinst all these doctrines. And me thynketh also, that he shuld rather haue comforted them, that be of that good mynde, to folowe it, than any thynge to discourage them in it. And hit semeth rather to be a discourage than a comforte, to saye, that if they

do it, som other wyl cal them hipocri-
tes for their doing. Not withstãding
for as moche as they that be of that
good mynd, seme to be men of a good
zele, and that they wolde gladly doo
good in this matier: it is to thinke,
that they will nat deferre their good
pourpose for no suche suspicion that
haply wil neuer com, ne yet for no su-
ch vncharitable wordes, though they
were spoken in dede. And I prey god
they do not, but that they procede in
their good purpose. And if it were en-
acted by parliment, that diuers good
lawes, whiche be al redie made by the
church, concerning the disposicion of
goodis of spiritual men, shuld be du-
ly put in execucion, with such articles
added therto, as shall be thought ne-
cessarie by parlyamente: I thynke it
wold do moche good in this behalfe.

¶ The leuenthe Cha-
pyter.

In

In the said treatise, fol. b. it is saide thus: Yet aboue all other thinges me thinketh that it is most to be lamẽted, that spiritual men knowing these gruges and murmurations amonge the peple, and knowing also that many laie men haue opinion, that a gret occasion therof riseth by spiritual mẽ, and that they do no more to appese them, ne to ordre them selfe in none other maner for the appesynge of them than they do: for al that they do therin moste cõmonly is this, they take it, that they that fynde defaute at suche abuses and disordre, loue not pristis. And therfore they esteme, that they do of malice al that they do to distroy the churche, and to haue their goodis and possessions them selfe. And therfore they thinke it a good dede to see them punished, so that they shall not be able to bring their malice to effect. And therfore haue they punished many persons, which moch people haue

iuged them to do vpon wil, and of no loue vnto the peple. This last clause, that is to say, And therfore they haue punished many persons, whiche moche people haue iuged them to do vpon wyl and of no loue vnto the people, the said Apologie, in the. 184. lefe reciteth truely. But in the. 187. lefe maister Moore in his Apologie seith, that I mi selfe say pleinly, that the spiritualte haue punished many persons therfore, that is to saye, bicause they take it, that they that fynde default at suche abusions loue no priestis: And that therfore they esteme that they do of malice all that they do to distroye the churche. And therfore they thinke it is a good dede to se them punished. And in that he sayth there, that I say playnely those wordes my selfe, he saith playnly ageinst the letter of the said treatise, which is, that they haue punished many persons, whiche moche people haue iuged thē to do vpon

wyl

wyll and of no loue vnto the people, and not that I saide so my selfe, but what he meaneth so to varie in the reherslnge of the lettre I can not redily tel, but it be that he wolde not haue it openly reported, that moche people take it so. But if he wolde make ferther serche therin to knowe the truth, he shall fynde, that moche people be of that opinion, whiche as me semeth is right moche to be regarded by spiritual rulers, whether it be true as they say or not. And vppon these matiers, thus misreported, he bringeth in diuers thinges, that he takith exception to rather vpon his own misreporting then vpon the said treatise.

Also in the said treatise, in the firste chapiter, it is said amonge other thinges, that some men as of a policie to pull riches from the churche, haue inuehid ageynste all suche thinges, as bringe riches to the churche: and bicause great riches haue come to the

churche for preyeng for soules in purgatorie, haue by wordes affermed, that there is no purgatorie, and that granting of perdons riseth of couetise of the churche, and profitteth not the people: and that pylgremages be of no effecte: And that the churche may make no lawes, and suche other thinges, as foundinge of chanteries, making of brethertheedis, and many mo: wherin they shewe outwardly to ryse ageinst al the thinges before rehersid, & to despise them: and yet they know & beleue in their hartis, that all these thinges be of them selfe righte good and profitable, as they be in dede, if they were ordered as they shulde be.

Of these wordes master Morgade reth, that I shulde say, that these men be politike men, and therin he misstaketh the sentence of the saide treatise greately: for the sentence is not, that they do it politikely, but that they do it as of a policie. And therfore as a man

man may ſey by an hypocrite, that he vſeth hym ſelfe in this thinge or that, as he were a vertuous man, and yet calle hym not vertuous: ſo may it be ſayde, that theſe men to pulle ryches from the churche ſeye this or that, as of a policie, and yet call them not politike. And yf mayſter Mooze wolde haue conſidered theſe wordes wel: he mighte haue percepued, that I calle them not politike in dede. And yet vpon that ſame acceptãce of hym ſelfe, and of his owne imaginacion, that I ſhulde do ſo, he taketh many exceptions in dyuers places of his Apologi, and ſpecially in one place, that is to ſay, in the longe proces, that he maketh of the tynker, he ſaith that if the tinker can not excuſe hym ſelfe by ſimplicitie: that then I haue taught him to ſay, that he dyd it of policie, to pull away ryches from the churche, & that therfore it can be no hereſie. But ſurely I cal no mã politike in that doing,

dan

and therfore maister Moyses inuentiõ is but of smalle effect in this behalfe: howe be it if the tynkar and the tylar that maister Moyse so moche speketh of, can by any reasonable and true allegiaunce so ordre them selfe, that it mai appere, that they ought of iustice to be dismissed: god forbede but that they be dismissed and go home ageine to their busines, as they did before.

¶ The. xij. Chapitre.

Maister Mooze in the. 217. leffe of his Apologie, speakynge of defautes, that as he thynkethe, shulde haue ben leide for causes of this diuision, cõcludeth thus: If there be such a diuision: wherby hit appereth that he doubteth, whether there be any diuision or not: for this coniunction, if, purporteth alwey a doubte. And after in the same Apologie, fo. 241. he confesseth plainely, that there is a diuision

uision, and maketh no doubte at it: and he callith it there the late spronge diuision. And so in one place to make a dout, whether there be such a diuision or not, & in an other place to agre, that there is suche a diuision, semeth to be a variance and contradiction in it selfe: howe be it surely I do not intende to lay that variance to hym as for any notable defaute: For a lyke thing may soone happen in any man by a lighte ouersighte. But the cause why I speke of it is this, to put hym in remẽbrance, that he herafter ought the rather to beare suche light defautes of other the more charitably, sith he him self hath likewise bẽ ouersene. For we be al fraile, ignorant, and vnstable, though we be estemed and taken as angels in our conuersation. And therfore is hit saide in the firste boke of the folowynge of Christe the xvi. Chapiter, that no man is in this worlde without defaut, no man with

out

out burden, no man sufficient to hym selfe, no mā wise inough of hym selfe. wherfore it behoueth ech one of vs to bere the burdē of other, to cōfort other to help other, to enforme other, & to instruct & admonish other in al charitie. And if we wil note well the said wordes, we shal the sooner lerne this lesson, to do in al thinges, as we wolde be done to: and to do nothynge that we wolde not haue done to vs. And that is as I take it one of the most soueraine doctrines that is, to instruct a man howe he shall in euery thynge concernynge his neyghboure, kepe hym selfe in a clere conscience, lerne it who so maye.

¶ That the sayde treatise entendeth not to bringe in amonge the people any hatred ageinst the spiritualtie The. xiij. Chapytre.

IT is conteyned in the saide Apologie, fo. 239. that to make the spiritualtie

tualtie in moze hatered, and to make the name of ſpiritual mẽ moze odious amonge the people: I haue in diuers partes of the ſaide tretiſe wziten, that they wil make confederacies, to make and meinteyn a part ageinſt the tempozaltie. And I meruaile that maſter Wooze dare of his conſcience make that affirmaunce, and ſay that myne intent was ſuche. Foz if I had intented to haue done ſo, and to haue made the name of the clergie odious amõg the people: I wolde not haue put into the ſayde treatiſe dyuers articles, that be conteyned therin: foz fyzſte in the later ende of the ſeconde chap. of the ſayd treatyſe it is ſaid thus: that nowe in theſe dayes our lozde hathe reſerued many good men bothe ſpirituall men and tempozall, that be not in any maner partie, to the ſayd diuiſion: whiche thzough helpe of grace, & with the fauour of the ſuperiours, ſhall be right well able to bzynge the

other

other to a good accorde. And if I had intended to haue made the name of spiritual men odious among the people, I wolde not haue said, that many of them be good, and shall be able with helpe of the superiours to bring the other to good accorde. Also in the fyfte chapiter of the said treatise it is said thus: And I suppose verily, that this diuision wyll neuer be perfitely & charitably reformed and brought to a good accorde, til the people come to this poynt, that they shall greatly feare and drede to renne into the leste censure of the churche. And if I hade thoughte to haue made the name of the spiritualtie odious amonge the people: I wolde neuer haue moued the people to feare and drede to renne in to the leest censure of the churche, whiche can not be made but by spirituall men. Also in the. x. chapiter of the said treatise, wherin dyuers abusions be leide in dyuers curates, it is

said

ſaid thus: And thoughe theſe abuſes be not vſed vniuerſally, God forbede they ſhulde, for ther be many good curatis and other ſpirituall men, that wold not vſe th ẽ for the winning nor loſyng of none erthly thinges. And if I had thoughte to haue made the name of ſpiritual men odious among the peple, I wold not haue ſeyd, that ther be many good curatis, and other ſpiritual men: for it ſtãdeth not with reaſon, that they that be good ſhulde be had in hatered.

Alſo in the later ende of the laſt chapitre of the ſaid tretiſe it is ſeyd thus: And I beſeche almightie god to ſende theſe foure thinges habundantly into the worlde, and that moſte ſpecially vnto the prelates and ſpirituall reulers, that is to ſay zele of ſoules, pitie, good doctrine, and deuoute prayer, & then I ſey, that if it were ſo, that vndoubtedly a newe light of grace and of tractabilitie ſhal ſhortlie ſhew and

shyne amonge the people. And if I had intended to haue made the name of spiritual men odious, I wolde not haue seyde, that then a newe light of grace and tractabilite shulde shortely shewe and shyne amonge the people.

Also I sey not in all the said treatise that the spiritualtie make confederacies to make a parte ageynst the temporaltie: but I seye thus in the fyrste chapitre, that though spirituall men ought to faste and pray, and do other good dedes. &c. crienge continually to our lorde, that this diuision might cesse, that yet hit apperethe not, that they do so, but that they rather continue still after the olde course, pretendynge by confederacies, worldly policie, and streite correction to rule the people. And I sey there, that that is great pitie, and greatly to be lamented, and that it wil be harde to bringe it so aboute. But if they wolde a litel meken them selfe, and withdrawe suche

che thinges as haue brought the peo-
ple into this murmur & grudge: then
I sey, that they shulde anone bringe
a newe lyght of grace into the world,
and bringe the people to perfite loue
and obediẽce of their superiours: And
that these wordes doo not amount to
the wordes of syr Thomas More a-
boue rehersed, that is, that I shulde
saye, that spirituall men make confe-
deracies to make & meinteyne a parte
ageynst the temporaltie, it is euident
to all indifferente reders: And surely
no more doth none other clause in all
that treatise: but that maister More
liste for his pleasure to take it so.

Of them that fall into errours of simplicitie or of an ignorance, & of wordes concerning heresie. The xiiii. Chapyter.

I Saide in the. viii. chapitre of the
saide treatise, that it is a cõmon o-
pinion amonge doctours, that none

is an heritike, for that onely that he erreth, but for that he defendeth opinatiuely his errour: and therfore I seyd, that he that erreth by simplicite, may in no wise be seyde an heretike. And I sey after in the same chapitre, that if that be true, it were then great pitie, that there shulde be so greatte a desire in some spirituall men to haue men abiured, or to haue the extreme punysshement for heresie, as it is seid there is. For as som men haue reported, if any man wil witnes, that an other hath spoken any thyng that is heresie, though he speke it only of an ignorance, or of a passion, or if he can by interrogatories and questions be driuen to confesse any thinge, that is prohibite by the churche: Anone they wil driue hym to abiure, or holde hym atteynted, without examininge the intente or cause of his sayeng. And vpõ these wordes sir Tho. More saithe in his Apologie, that I make mẽ wene,

that

that the ſpirituall iudges in this re-
alme handled that thinge, that is to
ſey hereſi, ſo cruelly, that al the worꝛld
hath cauſe to wondꝛe and gruge ther
at. And verilye I meruaylle moche,
wherꝛpon he groundeth his ſayenge
therin, foꝛ I neuer ſpeke any woꝛdis,
that ſhulde ſounde to that effect, that
al the woꝛlde had cauſe to wondꝛe at
the crueltie of ſpirituall men, concer-
nynge hereſie: but I ſayde as befoꝛe
appereth, that it were pitie, if it ſhuld
be trewe, as it is repoꝛted, that there
ſhuld be ſuch a deſire in ſpiritual men
to haue mẽ abiure, oꝛ to haue extreme
punyſhement foꝛ hereſie, as it is ſeyd
that there is. And thoſe woꝛdis pꝛoue
not, that al the woꝛlde hath cauſe to
wondꝛe and gruge at their demenure
therin. How be it ſurely a great noiſe
hath gone abꝛode, that a right ſtreite
handlynge hath bene ſene in that be-
halfe. And if maſter Moꝛe wil ſerche
and inquere foꝛ the truthe therin, he

shal here more of that matier, then is spoken of in the saide treatise.

And where I sey ferther in the saide treatise, that if any wyl wytnes, that a man hath spoken any thing, that is heresie, though he speke it of an ignorance, or of a passion. &c. that he shall be driuen to abiure: master More denieth not those wordes, but anone he taketh those wordes, as thoughe I had spoken them of dampnable and obstinate deedly passions, where the lettre serueth plainely for passions of ignorauunce and frailtie, and that be done for lacke of good aduysemente. For of them all the chapitre treateth moste properly. And yet as it semeth, to blynd the reders, and to couert the truth the more, he goeth forth & saith, that men falle dayly into aduouterye through suche damnable passions, & that by the passion of ire and anger, men falle into manslaughter: and so he shewethe dyuers other desperate dam=

damnable passions that men offende by, and endeuoreth hym selfe as moche as he can, to make it appere, that the said tretise speketh of suche damnable passions, and wolde not that it shulde appere, that a man may haue a light passion of anger, and yet haue no wil to slee no man, or of aduoutrie and yet do none in dede: and so maye a man speake lighte wordes of heresie, and yet fall not fro the true catholike feith.

And then ferther bicause mast More seythe, that he can not gather of my wordes, what I wolde shuld be done with them that speke suche euyl wordes, concerning hèresie, and yet think wel in their mynd, wherby it semeth, that he wolde knowe my minde therin, I wolle saye to his mocion thus: that for as moche as he denyeth not the sayeng of doctours therin, that is to sey, that a man is not an heretike, for that onely that he speketh heresie,

but for that he defendeth opinatiuely his hereſie (as it is ſeyd before) therfore I wil deſire him, that he wil take the peine to aſke that queſtiō of other great lerned men, as he is: that can beſte ſkille of that matier, & can beſte folowe the mynde of the auncient doctours, that haue ſpokē therof before their tyme. And if he wil yet nedely deſire, that I ſhuld ſhewe ferther of my mynde therin, I wyll than firſte aſſertein maiſter Moze, as far as in me is, that I knowe not one heretike in al this realme, in worde nor dede. For howe be it that I haue herd ſom tyme repozted, that there be many heretykes, yet I neuer harde ſo ferre proſe therin, that I might with conſcience iuge or repozt, that this man or that manne is an heritike. And to euery light worde a manne maye not gyue full credence in that behalfe, ne repozte it lightly, that any man is an heretike by ſuch light talis. And ſure-

ly

ly this poynt is moche to be noted of all men, but mooste ſpecially of them that daily miniſtre the ſacamentes of the churche, leſte haply through ſuche reportes they miniſtre thē ſomtime in deedly ſyn, & yet wolde not thinke ſo them ſelfe. And nowe wyll I ſay a lytell farther in this matter, concerning ſuche wordes, that is to ſey, that if any man now in this dangerous time, while this diuiſion continueth, wylle ſhew vnto the ordinarie, that he herd any ſpeke wordes, that as he thought ſtode not with the catholical feithe, & the ordinarie myslyketh the wordes alſo: I wolde then thinke, that if he, vpon whom the informaciō is made, be ſuche a man, that he that complaineth of hym may conueniently ſpeke to hym withoute daunger, that then the ordinarie ſhall aduiſe him to kepe the matter ſecrete, if it be yet ſecrete, and not openly knowen: and that he ſhal thā charitably aſke of him, what

he mente by these wordes. And then when the question is asked hym, if he make so reasonable an answere, that it soundeth to no heresie, then is the matier answered. And if he auowe the wordis, and yet they be in dede ayenst the catholicall feithe: then it semeth good, that he that accused him, folow the gospell, & take wytnes with hym, and efte charitably giue him moniciõ therof. And if he wyl yet stande stil opinatiuely in his opinion, and not accept the good monicion of the other: then I thinke it good, that he ageyne informe the ordinary therof, and then it semeth to be conuenient that the ordinarie sende for hym, not as for a man yet notoriously knowen or detected for an heretike, but to knowe ferther, whether it be tru as the other hath reported or not: and if he fynde it trewe by sufficient proke, or by his owne confession, and he wyll not be reformed, then it semeth conuenient,

that

that he vpon the witnes of the other, be punished as he hath deserued. And if he wil be by the ordinarie secretly reformed: then it semeth good, that he departe without any open penance: but what were conueniente to be ferther done in that matter, I wyl committe it to other. Ferther more if he be suche a man, that he that made the information vpō hym, dare not speke to hym, nor perauenture the ordinarie neither dare procede accordinge to the lawe ageinste him: then it semeth conuenient, that the ordinarie shulde informe the kingis grace and his counseile of it: and then it is not to suppose but that they wold prouyde sufficient remedie, as wel for the witnes as for the ordinarie: and se also that the ordinarie shulde haue power with the kingis fauour to se him punished, but as longe as there is an opiniō amōge the people, that the ordinaryes and their officers will giue light credence

vpon

vpon informacions made to them of
herefie, and that they wil noyfe them
that be complayned on, as heretikes,
before dewe examinacion in that be-
halfe: fo longe wil the people grudge,
and perauenture the kynge not gyue
his aſſiſtence ſo redily to haue them
attached, as he wolde do, if he herde
that the ordinaries noyſed no man to
be an heretike without due examina-
cion, as is before reherſed. And ſurely
I thinke, that great offences riſe day-
ly in many perſons by noyſing of ſu-
che hereſies before the tyme. For ſith
euery heretike ſynneth deedly, & that
in the hyghest degree of deedly ſynne,
what offence is it then to noiſe a man
to be an heretike, & is not? or to noiſe
it that he fauoreth hereſies, and doth
not? And though he be an heretike in
dede, yet the noyſinge that he is one,
ought to be done in al charite, and af-
ter due forme and order of the lawe.
And if it be other wiſe done, I thinke
it is

it is no ſmalle offence. And if this be true, then do many offende, that will ſey they offende not: and that as wel they that dayly vſe to miniſtre the ſacramentes, as other, as it is ſaide before. And though they noiſe ſuche hereſies ſomtyme of a good purpoſe, to make ſomme other aferde, that ſhall here of it: yet that can not excuſe thē. For certayn it is, that no euil is to be done, that good ſhulde folowe. And I beſeche almighty god, that all men mai take good hede to this point, and to ſuche other, as to reporte, that any man ſhulde not loue pꝛiſtis. For they lightly offende deedly therin, and yet peraduenture wolde ſaye naye. For as he offended deedly, that loued no pꝛieſte, ſo they offende deedly, that ſey that a man loueth no pꝛiſtes, that loueth them in dede, thoughe haply he fynde defaute at ſome abuſes and diſorꝺre that ar in ſom pꝛieſtes. yea and if a man had ſuch a malice to pꝛiſtes,

that

that in his herte he loued no prieste, but it were not openly knowē, I suppose that no man wyl sey, but that he that wold noyse it openly, that he loueth no prieſtes, ſhuld offende righte hyghly therin. And I trowe there is no one poynte, that wolde doo more good to appeaſe theſe variances and gruges, that be now amonge the people (if it were wel obſerued and kept) then the rekreynnge of ſuche wordes wold do. And ferthermore I ſuppoſe that this diuiſion wylle not perfitely be appeaſed, ne come to a charitable and ful agrement, til the worlde come to this point, that if the ordinarie wil noyſe any man to be an herityke, or wyl reporte, that there be many heretikes in the realme, that not one lythe kynges grace, but alſo all his lordes and al other, that ſhal here of it, ſhall anon giue eare to the matier to aſſiſte the ordinarie therin, if nede ſhuld be, thinking verily that the ordinarie be-

fore

fore he made that repore, had so throughly serched the truthe of the matier, that he was not therin deceyued, ne that els he wolde not haue made that repore, ne to his power haue suffred it to be made. And here I wyl for this time make an ende of this chaptre vnder this maner, that it might please almighty god, that there remayne not one heresie in worde nor in dede in all this realme, neither concernynge pardons, purgatorie, pilgremages, prayenge to seintes, settynge vp of ymages, the seuen sacramentes, fre abitrement, feythe and good warkes, makinge of lawes, what is the churche, ne any other: And that they that most shew them selfe to maynteine the true catholicall feithe, therin may take the very true sothfaste & charitable way, that they ought to take for auoidyng of them, if any suche be. Amen.

Of the sute *ex officio*. The. xv. Cha.

Then

THen to the conuentynge of men befoze ſpirituall iudges *ex officio*, and wherupon maiſter Woze ſaythe in his Apologie, fo. 219. that if it were left, the ſtretes were likely to ſwerme full of heritikes: Uerily I meruayle righte moche at his ſayinge therein: and that foz this cauſe: It is certein, that no man may after the lawe be detected of hereſie, but that there is ſom manne that knoweth the cauſe befoze why he ought ſo to be. Foz if it be ſecrete in his owne bzeſte, none can be his iuge but god only, that is the ſercher of mans herte. And if any wylle aduowe, that he knoweth the cauſe, I wil denounce him as an heretike therfoze: than it is reaſon, that he be taken as his accuſer. And if he wyl not aduow to be his accuſer, it is to think that he doth it of ſome malice oz craft rather then foz the truthe of the mattier. And if he ſay he dare not foz fere of his lyke auowe it, I haue ſhewed a

meane

meane in the. vij. chapiter of the said treatise, howe the wytnes may be saued from daunger, as by shewing the matter to the kmg and his counsaile, and that then it is not to suppose nor to thynke, but that they wyll prouide sufficiently for the indempnitie of the wytnesse in that behalfe. And this remedie maister More demeth not to be conuenient for this realme. And yet he wil not assent, that a lawe be made that it shall be so. And then if the witnes wil not auow it, but an other wil gyue credence to hym and auowe it: then hit semeth reasonable, that they that wyl gyue credence therto, & will report it, be taken as accusers: taking those witnes for their warrante, if it be denied. But to put the partie that is complayned on, to answere, and to condempne hym, if he say contrary to that the witnes haue seyd, not knowing who be the witnes, ne who be his accusers: it semeth not reasonable to

be accepted for a lawe. For as I haue seyd in the said tretise, if he that is accused knewe their names, that accused hym, he might percase allege and proue so great and so vehement cause of rancour and malice in them, that accuse hym, or beare witnesse against hym, that their sayinges by no lawe ought to stande ageynste hym: as if there were two men that had sworne the deth of an other: and bicause they can not bringe it about, they imagine howe they may brynge hym to all the shame and veratiō that they can, and therupon they apeche hym of heresie: if he in this case knewe theyr names, he might proue their rancour and malyce, And bycause he knoweth theym not, he can not proue it. And also the witnes may be such, as shal haue his landes by eschete after his dethe.

And if it be saide, that these cases fall so seldome, that it oughte lytell to be ponzed: so may it be saide like wise,

that

that it falleth but seldomme, that the witnesse in heresie stande in any feare of them, that they accuse. And then to make a generall lawe to prohibite all men; that they shulde not haue knowlege of the witnes in no case, it is not reasonable.

Also sir Tho. More denieth not, but that by reason of the lawe, Ex. *de hæreticis ca. Ad abolendam*, whiche is recyted in the. vii. chapitre of the said treatise that a man may be driuen to a purgation without any offence in him, or be accursid, as if he be notabli suspectid, and yet not giltie, as it may well be: & yet he wil not condescend, that that lawe shulde be changed, but seithe in fortifienge therof, that verily he thinketh, that he which can not be proued gilty in heresy, and yet vseth suche maner of weyes, that al his honest neighburs wene he were one, and therfore in their cõscience dare not swere, that he is any other, is well worthie to do

some penance. Truely this is a merueilous persuasion, that a man shuld be put to his pourgacion, bicause his neighbours dare not swere that he is no heretyke. And verily the lawe is, that their othe in that case shulde not be accepted: for the saide chapitre *Ad abolendam*, is that if a man be notably suspected of heresi, that he shal purge hym selfe after the wyl of thordinarie or be accursed: Also the purgacion of his neighbor will not serue: Let euery man therfore consider, whether the said lawe be indifferent or not. And if it be not, let thē put to theyr hande to haue it broken. And I thinke verily, they shal deserue gret thanke of god, if they tourne it to a more indifferent weye, then it is at nowe: For vnder this maner the moste innocent man that is, maye of malice be reported to be suspected of heresye, and be not so in dede, and so be driuen to his purgation or be accursed: and then there

is

is a nother lawe, that if he in that case of an indurate minde stande so accursed a pere, he shall be punisshed as an heretike, and that is by the lawe, Extra de hæreticis, ca. Excommunicamus.

Then he goeth further for meyntenance of the said suite Ex officio, and resembleth it to arestinge for suspecion of felonie, and to the suretie of good aberynge, and to inditementes: wher upon men be put to answere at the cõmon lawe. And howe farre these resemblances varie from the sute Ex officio, he in some place openeth it hymselfe. But yet for a moze playne declaration therin, I shal sey a litel further in that matier. Fyrste as to the arrestynge for suspicion of felonie, it is in dede an olde lawe of this realme, that for suspicion of felonie, a man may be arrested, so that he that doth arreste hym vppon a reasonable cause, dothe suspecte him: but it is a general rule, that he shall neuer be put to answere

vpon that arreste, but proclamation shalbe made, that if any man wil leye any thinge ageynst him, that is so suspected, that it shall be herde: and if none suche come he shall be delyuered without fine or any other punishmēt, with a good exhortation of the iudges, that he shal take good hede how he ordereth hym selfe in time to come. And then maister Moze lykeneth the penance of suche a man that hath ben in prison vppon suspicion of felony, and so deliuered by proclamation, to the bearinge of a fagotte for heresie. For he sayth, that the one of thē shall come as openly to the barre as the other to the consistorie: And that somtyme his fetters shal wey a good pece of the fagot, besides that they lie lenger on the one mans legges, then the fagot on the other mans shulder: but he reherseth not howe they lye many tymes lenger in prison for heresi, then they do eyther for suspicion of felonie

or

or for good abering. And ouer that I dare say, that there are but fewe, but that they hadde well leauer abide the peyne to be thrise acquited by proclamation, and perauenture ofter, then ones to beare a fagot for heresie.

And then as to the arrestynge for good abearynge, trouthe it is, that a man by cõmandment of the Justices may so be arrestid, but he shall neuer be putte to answere vpon that arrest, but onely bounde, and sureties with hym of his good aberinge. And if he can no suche suretie fynde, & he haue lyen there longe in prison, then the iuges by their discrecion, may sende a writte to inquere of his fame, and of his behauour, whiche is called a writ *De gestu & fama*, wherof sir Tho. More maketh mention in his Apologie: & if it be foũde for hym vpon that writ, that he is of good fame & behauoure, then he shalbe delyuered. wherby master More sayth, he is in a maner purged

ged, and by that saying it semeth that his meanynge is, that that delyuerie shulde be resembled to his purgation vppon the suspicion of herisye, as is sayde before. But howe ferre they be vnlyke, it appereth thus: when a man is deliuered vpon the said writte *De gestu & fama*, he is delyuered as a manne proued to be of good honestie, and to be clered bi his neighbours, of that he was suspected of. And when he is purged vpon the suite *Ex officio*, or for suspicion of herisie, he is put to penance by thordinarie, as a man suspected, wherof he is not clered, and so shal he be taken amonge his neighbours, as a man worthye to do that penance for his offences, wherfore it appereth euidentely, that they be nothynge lyke.

And then master Woze seyth yet ferther, that vpon inditementes at sessions, the inditers vse not to shewe the names of them that gaue them infor-

matiō

macion. And he seythe ferther, that they may not shewe their names. For they may may not disclose the kinges counsaile nor their owne. But as I take it, that prohibicion of openynge of the conseile in this case is onely to be vnderstande of their owne conseile amonge them selfe, after that they be sworne, but for opening of the names of them, that gaue them informacion before they were sworne, I knowe no prohibition. And if they wil not shew their names, they be not bounde to do it: for they be not bounden to helpe the partie to his writte of Conspiracie, but as they liste to do in conscięce. And then bicause he can none otherwise do: but confesse a great diuersite betwixt them that be put to answer Ex officio, and them that be put to answere before the kynges Justices vpon inditementes at the cõmon lawe: for there the iudges haue sufficient & apparant matier to putte them to an-

ſwere vpon, and in the other there is none, but that the ſpirituall iuge vpō a diſpleaſure may do it Ex officio, if he wil. Therfore he goth yet ferther and ſaith, that the.xii.men may yet do the ſame, and make a man to be called, that is not giltie, if they were ſo diſpoſed. And trouthe it is, they maye indite a man, that is abſent, and that is alſo not giltie, and be vntrue, if they wil: but yet in ſuche caſe the. xii. men be knowen that doo hit, and be alſo compelled to be vppon the inquirie: for they may not be vpon it, but they be therto aſſigned: and alſo the partie vpon their verdite ſhall not be put to anſwere before them, as it is vppon the ſuite Ex officio, but before the kingis iuges, before whom the inditemēt is no atteinder to the partie: but that he may be founde not giltie, not with ſtāding that inditement. And though maſter More ſey, that he neuer ſawe the day yet, but that he durſte as well

truſt

truſt the truth of one Juge as of two Juries: I thinke the Juges wil can hym but littel thanke for that preiſe: for ſurely Juries muſt nedely be beleued & truſted. And therfore it is not the maner of the iuges to ley vntruth vpon a iurie, ne yet to cõmende them that do it, but it be proued afore them of recorde after the order of the lawe.

And thus it appereth, that maiſter More can neyther proue the ſuite Ex officio to be lyke to the areſting of men for ſuſpicion of felony, for good abearinge, to puttinge of men to anſwere vpon inditemẽtes, ne yet to them that may be accuſed by. xii. men, & knowe not of it, & that for the cauſes before remembred. Wherfore it ſemeth, that though it were clerely put away, the ſtretis ſhulde not ſwarme ful of heretikes neuer a whit.

¶ The ſyxtene Chapitre.

I Seyde in the. vii. Chapitre of the ſaid Treatiſe, concerning the diui-

ſion

ſion betwene the ſpiritualtie and tem
poꝛaltie, that there is a lawe made by
the churche, *Libro ſexto*, in the title *De
hæreticis*, in the chapitre *Accuſatus, Pa-
rag. Licet*, Wherby it appereth, that if
a man be ſwoꝛne to ſey the truthe con
cernynge hereſie, as well of hym ſelfe
as of other, and he fyꝛſte confeſſethe
nothinge, and after contrarie to his
fyꝛſt ſayenge, he appeleth bothe hym
ſelfe and other: yet the ſaide lawe is,
that if it appere by manifeſte tokens,
that he doeth hit not by lyghtenes of
mynde, ne of hatred, noꝛ foꝛ coꝛrupti=
on of money, that then his witnes in
fauour of the feithe ſhall ſtande, as
wel ageynſt hym ſelf as ageinſt other.
And yet, as it is ſeyd in the ſaid trea=
tiſe, it appereth euidently in the ſame
Courte, and in the ſame matier, that
he is a periured perſon. And therfoꝛe
it is ſaide in the ſayd tretiſe, that this
is a daungerous lawe, and moꝛe like
to cauſe vntrue and vnlauful men to
con=

condempne innocentis, then to condempne offenders. And I ſey there alſo, that it helpeth litel, that if there be tokens, that it is not done of lightnes of mynde, hatred, noꝛ foꝛ coꝛruptiõ of money, that the witnes ſhuld ſtande. Foꝛ I ſey there, that ſomtime a wolfe may ſhewe hym ſelfe in the apparel of a lambe, and that if the iuge be parcial, ſuche tokens may be ſooner accepted then truely ſhewed.

And when maſter Moꝛe hath reherſed theſe woꝛdes, thanne he ſayth ferther in this maner: This piece concerninge the teſtimonie of knowen euil perſons, to be receyued and taken in hereſi, I haue (ſeyth maſter Moꝛe) ſomwhat touched in the thirde chapitre of the third boke of my Dialoge: where ſithe they may rede it that wil, I will here (ſeyth he) make no longe tale therof. But then he ſeyth, that I wote wel, that hereſie, wherby a chriſten man becometh a falſe traitour to

god,

god, is in al lawes ſpiritual and tem-
poral, both accõpted as great a crime
as is treaſon committed ageynſt any
worldly man. And then ſeyth he, why
ſhulde we then fynde ſo great a faute,
that ſuche witnes, ſhulde be receiued
in a cauſe of hereſie, as are receyued
not onely in a cauſe of treaſon, but of
murder alſo, and of other more ſingle
felonyes, not onely in fauour of the
prince and deteſtation of ſuch odious
crimes, but alſo for the neceſſitie, whi-
che the nature of the matter worketh
in the proſe. To thoſe wordes of ma-
ſter More I wil ſey thus: I wil agre
with hym, that hereſie is as greate a
crime, & as moch to be deteſted as tre-
ſon is. But yet I wil ferther ſey this
alſo, that as wel the makers of lawes
for punyſhment of hereſie and treſon,
as for al other offences, are bounden
in conſcięce as wel to for ſee, as moch
as in them is, that innocentis ſhalbe
ſauid harmles by their lawes, as that
offen-

offendes shulde be punisshed. And as it is true, that an innocent may be taken and accused, and neuertheles be yet well worthie to be saued and deliuered: right so it is tru, that an offender may be taken and accused, and be well worthy to be punysshed: but yet that punysshement muste be by a due and a reasonable order of tryall. And I can not se, what due or resonable order of trial it is, that he that vpon his oth hath first clered him selfe and his neighbour also of all heresies, shulde after cõtrarie to his fyrst othe be receiued ageyne as a wytnes to condemne hym that he clered before, and that in the same courte, and also in the same mater. And where master More seith, that suche wytnes shalbe receiued not onely in treason, but in murther also, and in other more syngle felonyes. Wherfore (he saith) he can not se why we shuld fynde so great defaulte, that suche witnes shulde be receyued in a

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cauſe of hereſi: verily I am in a dout, howe maiſter Mooze vnderſtandeth there that wozde (witnes.) Foz if he vnderſtande therby the wytnes at the cõmon lawe, that ſhall make an ende betwene the parties in treaſon, murder and felonie, as witnes in the ſpiritual lawe doth concernynge hereſie: then it muſte be vnderſtande, that he meaneth by that wozde, witneſſe, the xij.men, that ſhal trie the iſſu betwixt the king and the partie, at the comon lawe, and wherto bothe the kyng and the partie ſhall be bounde to ſtonde. And if he meane ſoo, then I take the cõmon lawe of the realme to be this: that a leſſe offence then an open periurie in the ſame courte, ſhall be ſufficient to diſable a Iurour in treaſon, murdze, and felony alſo. As if a man that is arraynid of treaſon, murder, oz felonie plede, Not giltie, and therupon an iſſue is ioyned, and a panell returned by the Sheriffe, and the par

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tie challengeth one of the Jurie, for that he hath bene atteynted of periurie, in an other iurie: this is a good peremptorie challenge, though the periurie were done in an other courte, if he haue the recorde in hande. And so it is, if he sey, that he hath ben atteynted in a writte of forginge of fals dedes: for he shall be iuged by that heynous falsehede to be vnable to passe vpō any enquest in any of the kinges courtes: And than me thinketh, that if any suche open periurie or falshode appered in any iurour there openly in the same courte, as this case is: that then he moche more rather shulde be iuged vnable therby: than for a lyke defaute in an other court. And if master Moore by that terme, wytnesse, meane suche witnes, as be sometyme broughte in to the kingis courtis, to giue euidencis to an enquest, than is that witnesse no suche witnesse, as the witnes bene in the spirituall courte,

that ſhall acquite or condempne the parties: for of tho witnes ſo brought into the kingis court to giue euidence to an enqueſt at the common lawe, no mencion ſhalbe made in the recordes, ne the iurie be not bounde alwey to folowe tho wytnes. For if the Jurie of their owne knowledge or otherwyſe knowe the truthe ageynſt the ſayeng of ſuche wytneſſe, they be bounde to fynde according to the truthe, and let tho witnes goo. And yet if it hapned, that ſuche collaterall witnes firſte teſtified vpon theyr oth, that the partie were not giltie: and after it were informed the iudges, that they reuoked their firſte ſayinge, and wold ſay that the ptie were giltie: I can not thinke, that the iudges wolde any more calle them to here their ſayeng therin. And though they wolde, yet as I ſayd before, it were ferre vnlike to this caſe. For their ſaying there, is but as an euidence, whiche the iurie ſhuld not be

bounde

boũde to beleue, but as the truthe is. I can not see therfore, howe maister More can proue his sayeng, that suche witnes, that is to sey, suche as be periured in the same Courte, shulde be afterwarde receyued as witnes in any of the kynges courtes.

And farthermore where I haue seyd in the said tretise, as before appereth, that it helpeth littell, that if there be tokens, that it is not done of lyghtnes of mynde, hatred, nor for corruption of money, that the witnes shulde be taken. For I sey there, that sometyme a wolfe may shewe hym selfe in a lambes skynne: and that if the iuge be parcial, suche tokens may be soner accepted then truly shewed. And then seyth maister More, that by that reason, that a iuge maye be parciall, not onely suche wytnes shulde be reiectid in heresie, treson, murder, and felony: but also by the other reson of a wolfe in a lambes skynne, al maner of wit-

nes in euery matter. For in euery matier (seyth he) may it happen, that he that cometh for a witnes, and semeth a lambe, may be in dede a wolfe, & be nought, where he semeth good. And therfore, he seithe, lyttell good wolde grow if folke wold folowe that inuencion, & make of the lawes a chaunge. And nowe by reason of this obiection I wyl speke somwhat farther in this matter, then I did in the said tretise. And fyrst I wil sey thus, that it is to me a greatte meruayle, to see maister Moze so farre ouerseen, ozels if he be not ouersene therin, that then he wold if he coulde, deceiue other, and make them so farre ouersene, to beleue that it shulde be one lyke reson of a periured wytnes, that wyl loke lyke a lãbe, and then say contrarie to that he hath deposed befoze, and of a witnes that comith to depose in a matter, that he was neuer yet swozn vpon. For whã a witnes is brought in, that was ne-

uer

uer ſwoꝛne vppon the matter beſoꝛe, the iudge maye not by the lawe refuſe hym, noꝛ iudge any defaulte in hym, onles he knowe a ſufficient cauſe him ſelfe in that behalfe, oꝛ that the parties do allege it: but he muſte beleue, that he is honeſt, good, and indifferēt, tyll the contrary be ſhewed, as euerye man is in charitie bounde to do of his neighbour. But whan a witnes hath depoſed in the courte, and than wyll offre him ſelfe to depoſe to the contrary that he ſaid beſoꝛe: the iudge maye with good conſcience myſtruſte and thinke, that he doth it of lyghtnes of mynde, hatred, oꝛ foꝛ coꝛruption of money: In ſo moche that beſoꝛe that Perag. Licet was made, the iuge might none otherwiſe haue done of Juſtice, but to haue refuſed to haue taken any farther examinacion of hym. And if he had, and the other had ſaid contrarye to that he had ſaid beſoꝛe, his sayenge had ben voyde in the lawe. And

what the makers of the ſaid Parag. Licet ment, to put it to the diſcrecion of the iuge, that if he ſaw by euident tokēs, that it is not done of lyghtnes of mynde, of hatred, noꝛ foꝛ coꝛruption of money, that his saying ſhal ſtande, as well ayenſt hym ſelfe, as ayenſt other, I can not tell. Foꝛ I can nat ſee howe there can be any euident token, in any ſuche caſe, but that ther might be in ſuche a periured witnes, ſomme inwarde hatered oꝛ coꝛruption, that the iudge can not knowe: ſo that he can not with conſcience iudge of certayntie, that there is none. And therfoꝛe me ſemeth, that the makers of the ſaid Perag. leyde ouer great a danger to the iuges, that they ſhuld haue libertie to accepte, if they wolde, the ſayenge of hym that ſo offereth hym ſelfe ageynſte his fyꝛſte othe: foꝛ ſo moche as the iudge can not be ſure to ſaue his conſcience therin, but he clerly refuſe to accept any thing, that the wyt=

witnes wold sey contrarie to his fyrst othe. For if the iudge dyd other wise, & therupon the witnes testifie ayenst the partie, and yet the partie not giltie in dede: I suppose verily that the iuge were partie to the same offence.

And where I sayde in the saide treatise, as before appereth, that somtime a wolfe may shew hym selfe in the apparel of a lãbe, & that if the iuge be pcial, suche tokens may soner be accepted then truely shewed: It is euident inough, that by those wordis I note no iuge to be parcial, but I sey, that if the iuge be parcial, suche tokens may be sooner accepted then truly shewed. As who seith, the iudge may accepte suche a token to be true, though there appere some suspection of vntruthe in the witnes. In whiche acceptance he shal more liberally and without offence of the law do wrong to the partie, that is accused, then he coude doo by accepting of any other witnesse a-

geinst

yenst the law, that were neuer swozne
befoze. Foz if he accept any suche wit-
nes cõtrarie to the rules of the law, it
apperith to all them, that knowe the
lawe, that he doth ayenst the law ther
in: and that wil sounde somewhat to
his rebuke, and that will make hym
the moze loth to do it. But if the iuge
accept suche a periured witnes, where
there is no sufficient token to pzoue,
that he dothe it not foz lightenes of
mynde, hatred, cozruption, noz suche
other: yet he bzeketh no lawe therin.
Foz al is committed to his discretion.
And that may haply giue a boldenes
to some iuge, to accept suche a periu-
red witnes, where he ought not to ac-
cept hym. And though the said Peragr.
saye, that if there be suche tokens,
as befoze apperethe, that then in fa-
uour of the feithe his witnes shall be
taken: yet I can not see, if the partie
accused be gyltlesse in dede, as he
may be foz all that witnesse, howe it

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can be taken in fauour of the feithe, to accepte the witnes. For it can not be ſeide in fauour of the feithe to condemne an innocent.

And farthermore it appereth alſo, that the wordes of the ſaid tretiſe extende no ferther, but to ſuch as be iuges, where there is before them ſuche a periured witnes, & not to all iuges. And in like wiſe thoſe wordes, that a wolfe may ſhewe hym ſelfe in the apparel of a lambe, ſtretche only to ſuch a periured witnes. For there is no other witnes ſpoken of in the ſaid tretiſe in that place. And therby is ment, that ſuche a periured witneſſe maye haply ſhewe him ſelfe to denie that he ſeyd before, of a compuncte harte and of a newe knowlege of the treuth, and of a very zele vnto the feith: and yet do it in dede of couetiſe, falſhode, rancoure, and malice to the partie. And ſo as the goſpell ſeyth, he may happe outwarde to appere in the apparell of

a ſhepe, and within forthe be a raum-
pinge wolfe. And ſuche one may that
periured witnes be, that is ſpoken of
in the ſaid treatiſe. And of ſuche a wit
nes in hereſie the ſaid treatiſe ſpeketh
only there, and of none other witnes,
as to the reders wil appere. And ther
fore as me ſemeth, maiſter More fin-
deth defaute in this behalfe, where he
had no cauſe reaſonable ſo to do.

And if any man wyll ſey, that it is
not conuenient, that any man ſhulde
fynde defaute at lawes made by the
churche: I wyll to that motion ſeye
thus: That to fynde a defaute at la-
wes made by the churche vpon a rea-
ſonable conſideration, for that they
be not ſo purely made to the honour
of god, ne to the welth of the people,
as they ſhulde be, and he intendeth no
other but to put the rulers in mynde
to reforme them by authoritie of the
lawe: I thinke it were not only a lau
full dede, but alſo a right good and a
meri-

meritorions dede, and no offẽce. But if any man wolde take vppon him of his owne mynde and of his owne auctoritie wylfully to breake any lawe made by the churche, oneles it were directly ageynste the lawe of god: I thinke it were a great offence. And I meane therby, not onely suche lawes as the churche had direct power to make, but also suche lawes as the church had no direct power to make, but that the people hathe assented to them, and by that assent and by a custome risen vpon the same, hath confirmed them. And therfore I thinke verily, it were none offence to sey, that hit were good for the superiours to breke many particular excõmunications, that the churche hath made. For surely many of them stand right hardly with conscience or charitie.

Of this terme (somesay) and of them that be iuges in heresye. The seuentene Chapytre.

Mai-

Master Moze in his apologie speketh many times ageynst a certayn maner of spekinge, that I vsed in dyuers places of the saide treatise, whiche is this: when I recited what opinions I haue herde sey, there were amonge the people, I seyd, that some seye, or they seye this or that, or that many say so, and suche other lyke sayenges, without affyrmynge that I knew it of myn owne knowlege, that it was so: for in some thynges I dyd not in dede. At this maner of speking mayster Mooze findeth a defaute, in suche a straunge gesting maner, that I merueile greatly at it. And I merueylle the moze, bycause he vseth the same termes hym selfe in dyuers places of his apologie, as appereth, fo. 77. and fo. 100. And I am well assured, that in his gestinge he speketh of the saide termes of somesey, they sey, or such other, many tymes moze then I do in al the seid treatise. And surely

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as he knoweth right wel hym selfe, a man may somtime sey, that some men sey this or that, and sey truely, where if he wolde sey, that he knewe it hym selfe, or that al men seyd so, he shulde say vntruly. And then if the trouth be so, that some seyd, thus it is in this matter or in that, and yet al men seyd not soo, or if the truthe were soo, yet I knewe it not, I wotte not vnder what maner master More wold haue had me spoken of the matter, but one=ly vnder this maner, as I haue done that some saye soo: And then that he fyndeth a defaut at that maner of spe kinge, where I coude none otherwise haue done, it is a meruayle to many persons. And I haue in diuers places of the said treatise seyd, that some sey this or that, where if I had seyd, that a great parte of al the late people had seyd so, I had sayde but truely. And one of the (som saies) that he fyndeth defaute at, is this: I sey in the. viii.

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Chapitre of the ſaide treatyſe thus: And here ſome ſey, that bicauſe there is ſo greatte a deſyre in ſpirituall menne, to haue men abiured, or to be noted with heriſie: And that ſome as hit were of a policie doo noyſe it, that the realme is fulle of heritikes, moze then it is in dede, that it is very perillous, that ſpirituall men ſhulde haue auctozite to areſt a man foz euery lyght ſuſpection oz complaynte of hereſie, tyl that deſire of puniſhement in ſpiritual men be ceaſſed and gone, but that they ſhulde make pzoceſſe ageyne them, to bzinge them in vppon peyne of curſynge: and then if they tarye. xl. dayes, the kinges lawes to bzynge them in, by a wzitte of *Excommunicato capiendo*, and ſo to be bzought fozth out of the kinges gayole to anſwere. And it folowith in the ſaid. viii. Chap. thus: but ſurely as it is ſomwhat touched befoze in the. vii. chapitre, it ſemeth, that the churche in tyme

tyme past haue done what they coude to bringe about, that they might punishe heresi of them selfe, without callinge for any helpe therin of the secular power, And therfore they haue made lawes, that heretikes might be arested, and put in prison, and stockis, if nede were, as appereth in *Clementinis de hæreticis, Cap. Multorum querela.* And after at the speciall callynge on of the spiritualtie, it was enacted by parliament, that Ordinaries myght arest men, that preche, holde, teache, or enforme other in herisie, there prohibyte, or that therof holde any conuenticles or scholis. For somme men thynke, that the said Clementine was not of effecte in the kynges lawes to arest any man for heresie. But if a mã were openly and notably suspected of herisie, & there were sufficient recorde and witnes ageynst hym, and there were also a doubte, that he wolde flee and not appere, wherby he mighe infecte

fecte other: it ſemeth conuenient, that he be areſted by the body, but not vpō euery light complaynt, that ful lightly may be vntrue. And that it wyl be right expedient, that the kingis highnes and his conſeile loke ſpecially vpon this matter, and not to ceſſe, tyll it be brought to mooze quietnes then it is yet: and to ſe with great diligēce that pride, couetiſe, noz worldly loue be not iuges, noz innocentis be punished, ne yet that wilfull offenders go not without due cozrection.

And when maiſter Moze in his apologie hath recited the ſaid wozdes, of the ſaid treatiſe: then he endeuoyzeth hym ſelfe very moche, to make it appere, that the mocions, that be made in the ſaid treatiſe, in the place befoze reherſed, be vnreſonable, and can nat be brought aboute: ozels that if they were brought aboute, they ſhulde do hurte and no good. And to make his ſayengis the moze acceptable, he leith

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ſomtyme defaute in my ſayengis, and ſeyth, that I therby defame the iuges ſpiritual, where I defame them not, but ſey onely, that it is expedient, that the kingis highnes and his counſeile ſee, that pride, couetiſe, nor worldly loue be no iudges. And whether thoo wordes amounte to that effecte, that maſter More ſeyth they do, that is to ſey, that I defame al ſpiritual iuges, it appereth euidently they do not: ne yet they proue not, that I wold haue al ſpirituall iudges changed. For the ſpiritual iuges that be nowe, may be iuges ſtyl, and haue al the propreties before reherſed, as well as other, for any thinge that I haue ſeyd. And yet maiſter More taketh it other wyſe, and ſeyth, I wolde haue ſuche iuges, as haue noo ſpice of any of the ſayde poyntis. And he ſeyth, that tyll ſuche iuges may be founde, heretikes maye make mery for a lyttell ſeaſon, whyle men walke aboute and ſeche for ſuche

iuges, whiche he weneth wyll not be done in a wekis worke. And he ſeyth, that it wil be the more harde to fynde ſuche iuges. For he ſeith, that I haue putte that matter out of doubte, that where as men wolde haue wende ſoneſte to haue founde them, that there I ſey, it wil be meruaylous harde to fynd any one of them, either prelatis, ſecular prieſtis, or religious perſons. For he ſaithe, that I ſey pleynly, that haue they neuer ſo many vertues beſide, that yet I ſey, it wil be harde to fynde any one ſpiritual man, but that he is ſo infected with deſire and affection to haue the worldely honour of prieſtis exalted, that he is through ſuche pride farre fro ſuche indifferencie and equitie, as ought and muſte be in ſuche iudges, whiche as he ſaithe, I aſſigne to be ſuch that they muſt haue no ſpice of pride, couetiſe, nor loue towarde the worlde.

As to this laſte reherſed ſentence of

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maister Moze, this is the trouth ther in, I say in an other place of the said treatise, other then that, that maister Mooze hath reherſed here, That is to say, in the.viii. Chapitre of the said tre tise, that though many ſpiritual men may be founde, that haue many great vertues, and great gyftes of god, as chaſtitie, liberalitie, paciẽce, ſobzenes, temperance, cunnyng, & ſuche other: yet it wyll be harde to fynde any one ſpiritual man that is not infecte with the ſayd deſyze and affection, to haue the woꝛldly honour of pꝛiſtis exalted. And there my ſentence endeth, as to this purpoſe. But then as it appereth befoze maſter Moze in his ſaid apolo gie addeth imediatly to thoſe woꝛdes of myn, woꝛdes of his owne putting in, which be theſe: That he is thꝛough ſuche pꝛide ferre fro ſuche indifference and equitie, as ought and muſt be in tho iuges, whiche he ſaith I aſſigne. And he cõbyneth tho woꝛdes to myn,

in suche maner as thoughe I spake them my selfe. So that they that shal rede them, can none otherwyse take them, but as my wordes: wherby he peruerteth clerely my meanynge and my sentence therin. For my sentence, ne yet my meanynge therin, is not but that iudges spirituall maye haue some spice of pride, couetise, & worldly loue, and yet be mete iuges in herisy, as the frayltie of man suffereth. For we be no angelles but synners, that lyghtly maye falle and be deceyued. Ne I meane not, ne yet my wordes amount not to it, but that a man may haue a desire and affection, to haue the worldly honour of priestes exalted, and yet be a mete iudge in herisie. For I suppose, that a man may haue that desire in some degree, and to som intent, and not offende therin, specially deedly. How be it he may also lightly offende therin, if he be not ryghte well ware.

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And farthermore, though it were as maister More taketh it to be, that my wordes shulde sounde to that effecte, that the iudges that were then, were through suche pride far fro the indifferencie and equitie, that I assigne: yet that proueth not, but that they be now indifferent & rightwise. For they might sith the makynge of the sayde tretise, become through grace, indifferent, rightwise, meke, lyberall, and louynge to god and their neighbour, though they were not so then. And if they be soo, then heretikes shall not make mery for lacke of iuges a weke ne yet a day. For the same iuges may sit styll without chaunginge, to here and eramyn them, whan nede shalbe. Thus as me semeth, it appereth euery way, that the exception that master Moore taketh of changinge of spirituall iuges, is but of small effect.

Then saith maister Moore farther, that if somesay, be no sufficent profe,

then is my tale all loste. And to these wordes I wyll answere thus. I wyl agree, that my sayeng, that some say this or this, is no proofe, neither to proue that some sey so, ne yet to proue that it is so. For in euery profe muste be two witnesse at the leest: but if two wyll saye it is so: then is it a prouffe.

And surely if maister More wyll inquiere for the truth in this matier, he shall fynde, that there be many moo then two, that sey so. And verily if many men sey so, thoughe the truthe be not so, yet the tale is not all lost to sey that some men sey so. For then it shall put the byshops and rulers spirituall in mynde, that they are bounde in cõscience to helpe them that seye soo, all that they can fro the danger that they ronne in by that sayinge. And yf it be true, then may the spiritual rulers order the matter as they shall see cause, and reforme it in suche charitable maner, that none shall sey so hereafter:

but

but they wyll of malyce do it, & renne into the sclãder of the Phariseis: and that wolde charitably be exampned, whether it be so or not.

Then seith maister Moore yet farther, that whiche is a lyght suspicion and whiche is an heupe, and whiche witnes be sufficient, and whiche not, must be weyed by the spiritual iuges, and vpon their weyinge of the matier for lyght or heuy, to folowe the arrest of the partie, or the leuynge of the arreste. Nowe verily in this poynte me thynketh that maister More maketh a righte good mocion, that is to seye, that the matter shuld be examined before the arreste. For it hath ben sayde in tymes paste, that in suche case the arreste hath many tymes gone before the examination. Neuer the lesse vnder what maner the examination and the arest shulde be made in suche case, I wyll make no diuise at this tyme: For haply maister More wolde anon

fynde a defaulte at it, and therfore I wyl leaue it to them that haue auctoritie, to treate ferther of it, and to diuise how to auoyde the mase that maister More speketh of in his said. xlvi. chapitre. And then maister More cõcludeth thus: I lytel doubt (saith he) but that if the kinges highnes do, as I doubte not but his highnes will do meynteine and assiste the spiritualtie in executynge the lawes, euen those that are all redye made ayenste heresies, and commande euery temporall officer vnder hym to do the same for his part, though there were neuer no newe lawes made therfore, yet shall bothe innocentes be saued harmeles well inowghe, and offenders punysshed to.

Now verily to these wordes of maister More I dare sey thus, that maister More, or he had spoken tho wordes, had occasion by reasonable coniectures to haue doubted more at the matter

matter thenne he hathe done, and to haue thought it very lyke, that if the ſame lawes ſhulde ſtonde as do nowe in euery poynte concernynge hereſie, that many innocentis, that be not gil=tie, might vpon ſuſpection of hereſie be dꝛyuen to pourge them ſelfe, after the wylle of the oꝛdinarie, and yet be not giltie. Ye and ouer that mayſter Mooꝛe might haue reſonably doub=ted, and as I ſuppoſe in conſcience he ought to haue doubted moꝛe then he hath done, that ſometyme innocentis might happen vpon the ſute Ex officio, oꝛ vpon lyght complayntis, by fauoꝛ of officers, oꝛ vpon malice oꝛ diſple=ſure, be arreſted befoꝛe examination, and yet maiſter Moꝛe him ſelfe aſſen=teth, that the examination ſhulde be befoꝛe the arreſte. And he might haue doubted alſo, that ſomme innocentes myght by ſuche periured perſons, as be aboue reherſed in this chapytre be ſometyme condemned. And therfoꝛe

the saide wordes of mayster Moore, wherby he taketh vpon hym to sey, as it were in his owne auctoritie to performe it, that innocentis by the same lawes, as be al redy made for heresie, shalbe saued harmeles well inowgh, might happen to be of smal effecte to helpe an innocent man or womanne, that shulde happen to be wrongfully troubled in tyme to come ageynst his wordes before rehersed.

¶ Of the prohibition to lay men, to enquiere of heresye. The eyghtene Chapitre.

IN the savde treatyse, the. vii. chapiter, I recited a law made *Extra de hæreticis, li. vi. ca. Vt inquisitionis*, wherby it appereth, that al powers, and al lordis temporal and rulers be prohibite, that they shall not in any maner take knowlege or iuge vpon heresie, sith it is mere spirituall. And then it is seyd ferther there, in the said treatise, that he

he that inquereth of hereſie, takethe knowlege of hereſy, & that the ſumme called Roſella ſo taketh it, *Titulo excommunicationis, peragr. iiij.* And then hit is ſeyd ferther there, in the ſaid treatiſe, that if this be trewe, it ſemeth then, that al the iuſtices of peace in this realme be excommunicate. For they by auctoritie of the kingis commiſſions, and alſo by ſtatute, enquere of hereſi. And ſo be then alſo al ſtewardes of letis, and the enqueſte alſo, if they enquere of it: but whether they may by auctoritie enquere of hereſie in a lete or not, as maiſter Moore ſeyth they may, I am in doubte, but if they do, though they haue no auctoritie to do it, yet if the ſaid lawe *Extra de hæreticis, li. vi.* be of that effect, that Summa Roſella ſeith it is, they be accurſed: And to this lawe maſter Moze anſwereth not, but paſſeth it ouer, as a thinge that as it ſemeth he lyttell regardeth, but only that he ſeyth, that the lawes

of

of this realme, and of holy churche in
hereſies, may wel ſtand to gether, for
ought that he ſeeth: And yet it appe-
reth, that vpon this lawe they do not
agree nor ſtonde to gether. And ther-
fore me thinketh it wolde not be ſoo
lightly paſſed ouer as mayſter More
dothe paſſe it ouer. For it is a dange-
rous thinge to fall into the leeſte cen-
ſure of the churche. And if it be ſaide,
that the ſaide lawe is voyde, bycauſe
the churche had no auctorite to make
it: And that it is therfore not to be fe-
red. And I wylle yet ſey therto, that
though it were voyd, that yet as lõge
as it ſtandeth ſo not repelled, it were
good to eſchewe it, and not to fal wil-
fully into the daunger of it: and ther-
fore it were better to repelle it then to
let it ſtonde ſtyll, and rather do hurte
than good. For as longe as it ſtan-
deth ſo vnrepelled, ſome prieſtis that
ſe it, wil ſey, that they that do ageynſt
it, be accurſed: and ſo may lightly fal

ther-

therby into a wrongful and vntru iu-
gement, whiche though it be no great
offence, oneles it be of pride, by dilpe-
lynge of the tempozall power in that
behalfe, yet it wold be eschewed. And
also if thei that be so noisid to be accur
sid, here of it, they wil be discontentid.
And so grudges and variances maye
ryse and encrease by occasion of it.
And therfoze it semeth right expediēt
that the said lawe be repelled. And in
like wise it were good to repelle al su-
che lawes spirituall, as be made con-
trary to the kyngis lawes and the cu-
stome of the realme. And if it be seyd,
that it were good also, that suche sta-
tutes and lawes, as be made and v-
sed bi the tempozal power to the grefe
of the people were also refozmed, and
that if I were indifferente, I wolde
make some mocion so to haue it: And
so it semeth master Moze dothe part-
ly moue, that I ought to haue done,
and to haue founde as well defaut in
the

the tempozal lawe, as in the ſpiritual lawe: Howe be hit bicauſe he woide beare no blame of the tempozal lawe in that mocion, it ſemeth that he ſome what mitigateth his ſentence therin, and ſaith, that if I doo ſoo, and that then I handle them, that is to ſey, the tempozall lawes and fynde defautes at them, as truely as I doo at theſe, that is to ſey at the ſpirituall lawes: that then I ſhulde make two lyes foz one, and yet as I ſuppoſe, I haue aſ= ſigned ſome defautes in the ſpiritual lawe, whiche maiſter Wooze can not tell howe they ſhulde be excuſed.

And the cauſe why I haue not ſpo= ken of the defaultes in the tempozall lawes, as I haue done of defautes in the ſpiritual lawes, is this. This di= uiſion hath riſen ſpecially thzoughe a gruge of the people towarde the ſpiri tualtie, foz diuers veratiõs that haue come to them by ſpirituall men, ſome by one meanes, ſomme by an other,

wher=

wherby in theyr pouertie they haue many tymes bene made moze pooze. wherfoze they haue gruged veri soze. And therupon it hathe folowed, that when spirituall men haue perceyued, that the people haue gruged at many of them, they haue pretended, that it hath ben without cause, and somtime haue punished som of them, that haue so grudged at them, and haue boꝛne the lesse fauoꝛ to other, that thei haue not punished. But as foꝛ any wrõge, that spirituall men haue had by tempoꝛal men, oꝛ by the tempoꝛall lawe, as to the multitude, hath ben but lyttell in comparison: foꝛ they haue cõmonly had great frendes and money inough to defende them selfe with. And if percase some of them haue ben somtyme wrõged, they haue yet most cõmonly had inough beside foꝛ their sufficient liuinge, accoꝛdinge to their charges, whiche is moste cõmonly as of necessite but foꝛ their owne person.

And

And therfore it greueth them but lit-
tell: but a trouble and losse to a laye
man, that is charged with wyfe chil-
dren and household, and hath not one
peny of wages, but that he must pay
his rente, and kepe his house of his
owne labour and prouision, pincheth
hym nerer, as whenne he is troubled
vpon suites Ex officio, or for tithes, or
for suche other thynges, at the com-
playnt of the partie, and that somme-
tyme without cause, or for suspicions
of heresies, prouinge or disprouinge
of testamentes, halowynge of chur-
ches, for visitations, and before the
statute of mortuaries, for mortuari-
es, or for sequestrations of benefices,
wherof they be fermours, and for su-
che other: all whiche veracions they
haue aretted to spirituall menne, and
seyd that they haue great wronge by
them. And therfore it is, that for as
moche as the defautes in spiritual la-
wis haue giuen more occasion to this
diui-

diuision, then any defaute in the tem-
porall lawe can do: therfore I haue
rather spoken of defautes in the spiri
tual lawe, then in the temporal lawe.
For I thinke no man wyll denie, but
that though it were granted, that spi-
rituall men had as moche wronge as
coude be deuised in the kingis lawes:
that yet that coude be no cause for the
spiritualtie to gruge ageinst the peo-
ple. For their gruge in that case shuld
rather be ageynst the heedes and ere-
quuters of the lawe. And in like wise
though pore men were wrõged by the
kingis lawes, yet that were no cause
to make the people gruge ageinst the
spiritualte. And therfore suche lawes
as haue ben made and misvsed bi the
spiritual auctoritie, I suppose verily
haue ben the most cause of this gruge
amonge the people: and wolde ther-
fore fyrste be reformed. And if master
More can shew any lawes, that haue
ben made by parliament, concernyng

the ſpiritualtie, that the parliament had none auctoꝛitie to make, oꝛ wher at the ſpiritualtie oꝛ the people haue iuſt cauſe to complaine: it wyl be wel done that he ſhewe them. And verily as me ſemeth, charitie ſhulde compell hym to do it, ſeinge that he is lerned in the lawes of the realme, as he is.

¶ Of confederacies. The nyntene Chapitre.

VWhere I ſpeke in diuers places of the ſaid treatiſe of confederacies of pꝛieſtis, ſir Tho. Moꝛe ſeyth in his apologie, that he knoweth no cõfederacies of pꝛiſtis, but it ſhuld be the gathering to gether of the clergie at Conuocations. And verily I finde no defaute at Conuocacions. Foꝛ if they were wel kept, I thynke it wold do gret good. How be it maſter Moꝛe ſomewhat geſteth at ſuche Conuocations and ſeith: he wolde not greatly wyſhe

wisshe to be confederd with them, and there associate in any such confederacies. For he seyth, he coude neuer yet wit them assẽble for any gret wining: but that they come vp by the kingis writte to their traueile, labour, coste, and peyne, and tary and talke. &c. and so get them home ageyne. But yet I truste they haue done more good in their Conuocacions then so, though maister More hathe not knowen all. Howe be it the confederacies that I meane of, be not the confederacies that he speketh of, of conuocacions, for they be lauful: but the confederacies that I meane of, be the confederacies, wherby spiritual men pretend to meyntene the lawes of the church, where they be sometyme ageinste the kinges lawes, and the olde customes of the realme, as it is of not puttinge of prestis to answere afore the kingis Justices, and to beare out the Constitutiõ prouincial, that is made ayenst

the old custome of the realme, for tith of wodde aboue.xx.yeres: whiche custome is cõfirmed by the statute made in the.42. yere of kinge Edwarde the thirde, whiche is cõmonly called the statute of *Silua cedua*. And so lykewise of dyuers other statutes concernyng the spiritualtie, as is the Statute of mortuaries, and suche other: whiche statutes many prestes resist in many places to this day, and other prestis agree with them in the same, and sey, they be ayenst the libertie of the churche, & that they that obserue them be accursed. And also of pticular confederacies of prestes, as to meinteine obites, and the wages of prestis, and also to haue more at burialles in som places then they haue vsed to haue in tyme paste, or els to shewe them selfe not contente, and that laie menne be righte lothe to beare in many places. And also if a preste haue a busines to do in some contreys, other prestis (as

it is

it is seyde) wil sometyme so confeder with hym at arbitrementis and other metinges, or make them suche frendes priuely, that thoughe the other partie be of right good substance, and also haue good ryghte: yet shall he sometyme haue moche a do to obteine it. And these be some of the confederacies of priestis, that I meane of, and not the gatherynge to gether of the clergie at Conuocations.

And thoughe sir Tho. Moore seithe, that there is not any one prouinciall cōstitution, that I speke of, that was made, or to any mans grefe or gruge put in execution in the tyme of any of the prelates that are nowe liuynge. And therfore he saith how coude then any of them be called any suche confederacies, or be cause of this late sprōgen diuision? Nowe surely though none of them all had ben put in execution, yet they haue done great hurt, and that vnder this maner: Whan

Spirituall men haue seen those lawes, and seen also that they haue not by reson of the tempozal power, ben put in execution: som of them haue thought that al they were accursed, that let the execucion of them, and that the churche is greatly wzonged and oppzessed therby, and that hathe engendred a gruge in theyz myndes, whiche hath ben so longe continued, that some laymen haue herde of it, and haue denied their sayinges, and spoken ageynste those constitutions: and so hath part of this diuision spzonge. And verily if maister Moze wolde haue remembzed hym selfe wel, howe ofte the seid cõstitution pzouncial, made foz payenge of tithes of wodde aboue.xx.yeres, hath ben put in execution, nowe of late dayes, to the grefe of many laymen: he wolde not haue sayde so generally, that there is not any one constitution pzouinciall, that I speke of, to any mãs grefe oz gruge put in execution

cucion in the tyme of any of the prelatis that are nowe liuinge. For surely that constitution hath of late dayes, and that in the tyme of dyuers of the same selfe prelates that nowe be, ben put in execucion, to the grefe & gruge of many persons within this realme.

¶ The. xx. Chapitre.

It is seyd in the fyrst chaptre of the saide treatise, that as longe as spiritual rulers wil either pretende, that their auctoritie is so highe and so immediatly deriued of god, that the people are bounde to obeye them, and to accept al that they do and teche, without argument, resistence, or gruging ageynste them: or that they wyll pretende, that no defaute is in them, but in the people, and wyll yet continue styll in the same maner, and after the same worldly countenaunce, as they do now, and haue done late time past

the lighte of grace, that is spoken of before, wil not appere. &c. Al this lettre of the said treatise sir Tho. More, in the.xxvii. chapitre of his apologie, reciteth truly, except that he omitteth there, these wordes, but in the people, and also in the later ende of the saide sentence he putteth in for these wordes, wil not appere, these wordes, be with you nowe and euer amen. But what he meneth therby I can not redily telle, but hit shulde be after his gestynge facion. And if it be so, it is of a smal effecte: and therfore I passe it ouer. But after, fo.167. he turneth these wordes spiritual rulers into prelatis, and then therupon he seith, that prelatis neuer pretended to be obeyed in all thinges as wel badde as good, as if they preche heresie, he seyth they do not pretende, that they shuld be obeyed. And verily I neuer intended to ley to prelatis, that they preched heresie. And it was yet moche farther

from

from my purpose to ley it to al spiritu al rulers. For there be many spiritual rulers, that be no prelatis , that I thinke verily wyll preache no heresie. But what maister Moze meaneth to chaunge these wordes, spirituall rulers, into prelatis, I can not tel. But nowe by occasion of the wordes, that maister Moze hath spoken in this behalfe, I wyll saye farther in the matter than I had thought to haue done, and that is this, that I thinke verely, that if so great an ouersight felle into prelates & spirituall rulers, that they wolde take vpon them to preche heresye, that they wolde that the people shuld beleue them therin, and to take it to be catholicall that they preched. For who wyll preache any thing, but suche as they wolde haue their audience to beleue? How be it the pretence that I meane of in prelatis and spiritual rulers is not that pretence, that they wolde be obeyed thoughe they

preche heresie. But I mene that they pretende to be obeyed, when they declare what their auctoritie is, and to haue al suche lawes, as they make obeyed, without argument or resistēce ageynst them. And then I meane ferther, that as longe as they do so, continuynge styll in the same maner, and after the same worldly countenance, as thei do now, that the light of grace wil not appere. And now shal I shew my mynde somewhat ferther then I dydde in the said treatise, why I seyd so, and shall shortely touche certayne pretences, that spirituall rulers haue made in tyme paste.

Fyrste they haue made pretence in tyme past, that the people be bounde to beleue, that al suche thinges be the libertie of the churche, that the clergie calleth the libertie of the churche, as it is in this poynt, where it is seide in the lawe, that the will of god is, that thinges that are to be disposed of the

chur=

churche, perteyne to prieſtes to diſpoſe, and not to worldly powers. Alſo that chriſten princis muſt ſubdu their executions to byſſhops, & not to preferthem aboue them: And that no charge ſhalbe ſet vpon clerkes by laie power. And there is alſo a pretence, that if a ſeculer iudge be negligent in doinge iuſtice, that a ſpirituall iudge may giue hym monicion to amend it: & if he wil not, that then the ſpiritual iuge may compell him to it, orels ſupplie his roume, and here the cauſe. And dyuers other thynges there be, whiche were to longe to reherſe now, wherof I haue recited part in the .xii. chapitre of the ſaide treatiſe: wherat vndoutedly many lay men haue gruged very ſore. And neuertheles mayſter More in the ende of the ſayd chapitre, forgetinge all ſuche pretences, relyeth moſte vpon this, that prelatis neuer intended to be beleued, if they preache hereſie. And therfore he con-

concludeth thus, and seyth, that sithe prelates pretende not that, ne neuer did: that al my tale amounteth to no more, but that the lyght of grace wyl not appere, as longe as prelates doo the thynge that they do not ne neuer dyd. And then he seithe to the reders: Is not this good reders, by this good pacifiar brought vnto a wyse conclusion?

And nowe to this conclusion of master More I wyl sey thus, that I beseche almyghty god, that the ende of al these maters may come to this conclusion, that the very groundely causes of these diuisions, that nowe be not onely in this realme, but also in manet through all christen realmes, may come to perfite knowledge. For surely I doo not take it, that they began eyther by hereslies, or Apostasies, as master More in his apologie meaneth that they shulde do. And if maister More will nedely endeuour him

selfe

ſelfe to hyde the truth therin, as it ſe-
meth he hath done in this chaptre, & in dyuers other places of his Apolo-
gie, by kepyng ſecrete ſuche abuſions and pretences, as in my conſcience haue bene mooſte principall cauſe of this diuiſion, wherof part be recited in the ſaide Treatiſe, and part in this anſwer, but not al: I beſeche almigh-
ty god, that he haue no power to doo it: but that the truthe may comme to knowledge therin, though he reſiſt it al that he can. For if it were knowen, and the defautis charitabli reformed, al theſe diuiſions wolde ſhortly haue an ende, as I ſuppoſe. And then this were a better concluſion, then maſter Wooze gothe aboute: for he gothe a-
boute onely to proue, that all my tale is loſte, bicauſe prelates pretende not to be beleued, if they preache hereſie, as he taketh it, that I ſhulde ſey they do, and yet I ſeid not ſo in dede. And if I did ſey ſo, I ſeyd but truely. For

if

if they wolde preche hereſie, it is certayne, they wolde loke to be beleued, as I haue ſeid before: yea and if they wolde preche and ſey, that if they preched hereſie, that they wolde the people ſhulde not beleue them: yet if thei dyd after preche hereſie in dede, they wolde loke, that the people ſhulde beleue them. For they wolde ſeye, they were no hereſies that they preached: for who wyl confeſſe that he precheth hereſie? How be it in good feith I neuer intended to make it appere, that prelates preched hereſie: but maiſter Wooze hathe gyuen me occaſyon to ſpeake thus farre in the matter as I haue done: For he wolde, if he coude, drounde all other pretences, that prelates and ſpirituall rulers make, ſoo that they ſhulde neuer be ſpoken of: bycauſe as he thought, he had eſpied ſo great an ouerſight in my wordes, to ſey that prelates ſhulde pretende to be beleued, if they preched hereſie.

And

And therfore I doubte me very sore, that maister More gothe aboute rather to marre al, then to endeuoir him selfe to make al wel.

And in this Chapitre maister More leith diuers other obiectiõs to proue the said lettre vnreasonable, whiche were very tedious to reherse at lẽgth, and therfore I shal shortly as I can, touche some of them.

Fyrst he wolde that I shuld declare, whether I ment by these wordes, the auctoritie of spirituall rulers, their hole auctoritie, as wel that they haue immediatly of god, as that they haue of the graunte of princis. And as to that mociõ it appereth, that the letter is pleyne inough, that it is only ment of suche auctorities, as they pretende to haue immediately of god. For the letter is, that as longe as spirituall rulers wil pretende, that their auctoritie is so high and so immediatly diriued of god, that the people ar boũde

to

to obey them, withoute argumente or reſiſtence, that ſo longe the lighte of grace wil not appere. And it is not to ſuppoſe, that ſpiritual rulers wyl pretende, that ſuche auctoritie, as they haue of the graunte of princis, is immediately diriued of god. For they come to them by a meane, that is to ſey, by the meane of princis. And ſoo maiſter More myght haue ſatisfied hym ſelfe in that queſtion, & haue admitted, that it is only vnderſtande of ſuch auctoritie, as they haue immediatly of god, as in the miniſtracion of the ſacramentes, & many other thyngis, without deſiringe of any ferther declaracion of me in that behalfe, yf he hadde lyſte.

And then he goeth yet further, and ſeyth, that if I meane that the lyghte of grace, that I ſpeke of, wyl not appere as longe as the prelatis pretēde, that any parte of their auctoritie is ſo hyghe, that it is immediately gyuen them

them of god: then (saythe he) that I haue loste the lyghte of treuthe. By whiche wordes it apperith, that maister Wore mistaketh the lettre of the said treatise greatly. For he taketh it, that I shuld doute, whether any part of the auctoritie of prelates be immediatly diriued of god. And surely let hym doubte therin if he liste, I doubt not of it, & that apperith by my wordis afore rehersed, wher I sey, that as longe as spiritual rulers wil pretend, that their auctoritie is so high, and so immediatly deriued of god, that the people are bounde to obey them without argumente or resistence. &c. By whiche wordes I confesse, that they haue auctoritie immdediatly diriued fro god. But as I seid before in the. 7. chap. master Wore hath a right gret & a high inuentiue wit, wherbi he can lightly turne a sentēce after his appetite, & so he doth here, and wolde haue it appere, that I shulde meane that

the light of grace wyll not appere, as
longe as prelates after his inuencion
or spirituall rulers after the letter of
the seide treatise, pretende that their
auctoritie is immediately diriued of
god, and my meanynge is not so, nor
my wordes amounte not therto: but
be of suche effecte, as I haue seide be-
fore. And so I see not what charitie,
nor what good affecte maister Moze
sheweth in the takynge of that excep-
tion. Then to shewe my mynde in
somme thinges, that maister Mooze
hathe touched yet ferther in the sayde
Chapitre: I wyl fyrst agree with ma
ster Mooze, that in suche thynges as
the hole clergi of christendom techeth
and ordreth in spiritual thinges, and
whiche of longe tyme haue bene by
longe vsage and custome through the
hole corps of christendome, spiritual-
tie and temporaltie, ratified, agreed,
and confirmed, ought with reuerence
to be receiued: but yet if the same thin

ges

ges throughe longe continuance, and throughe abusions that rise by occasiō of them, proue hurtful and ouer greuous to the people to bere: then may the people gruge and compleyne laufully to their superiours, and desire that they may be refourmed, as laufully as they may do to haue temporall lawes refourmed, whenne nede requyreth.

I wyll also agree, that in the congregation of the clergie, to goddes honour graciously gathered to gether: the good assistence of the spirite of god, accordynge to Christis promise, wyl be as verily present and assistent with them, as it was with his blessed apostels, yf they ordre them selfe in mekenes and charitie and put al their truste in god, as the apostels dydde. But if they wyll truste in their owne wyt and in worldly policie: then may they lightely lese the spirite of god. And whether it were so at the making

of the lawes, whiche maister Mooze speketh of concernyng hereſie oz not, I can not tel: but this I wil ſey, that if they were not good and reaſonable in them ſelfe at the firſt making, that they were neuer made by the aſſiſtẽce of the ſpirite of god. And ſurely I can not then ſe, how the vſage and longe continuance of them can ratifie oz cõ=firme them. For as it is of an euil cu=ſtome, that the lenger it is vſed, the greater is the offence: ſo is it of an e=uil lawe. And like as an euil cuſtome is to be put awaye, ſo it is of an euyll lawe. And the lawes affirmed by v=ſage and agremente of the people be the lawes of faſtynge and kepyng of holydays, and ſuche other as the peo=ple of their free agrement accepte and agree vnto: but theſe lawes made foz punyſſhement of hereſies were neuer agreed by a commen aſſent of the peo ple, but that ſome perticuler perſons, wherof ſome haue bene giltie, & ſome

pera=

perauenture not giltie, haue ben punyſhed therby right ſore ayenſt theyr wylles. And that can not be a confirmation of them that ſo agree ageinſt their wyl. But as to them that do the correction, it is a confirmation: for they do it with their good wylle. And though that correction were a ſufficient confirmation, as anenſt them that be ſo punyſhed: yet it can nat be a confirmation to make the lawe approuid for all the reſidue of the people.

I can nat ſee therfore that any ratifienge, agreinge, or confirmynge of the peple can be proued in tho lawes, concernyng the correction for hereſy. And then whether the lawes in them ſelfe be good and indifferent or not, I wyll remytte the iugement in that behalfe to them that haue auctoritie. But to ſhewe my conceyte therin, I ſhall with good wyl euen as my conſcience meueth me to, and that is, that I coulde neuer ſee, that it was reaſo-

nable to be accepted as a lawe, that a man shulde be accused, and know not his accuser. And that it is yet more vnreasonable, that a man shulde be condempned, and knowe not the witnes that condemned him. Also that a man vppon suspection shulde be driuen to make his purgacion at the wil of the ordinarie, or be accursed: Or that a periured witnesse shulde condempne hym, that he had clered afore: That a greate offender and a lesse offender shulde haue one lyke punishement, if they renounced: or be alike arested and put in prison: I neuer saw no indifferencie in it. And if any man wyl sey, that these reasons wyll gyue a boldenes to heretikes: trewely I will not fully make answere therto: but this I wil sey, that I thynke verily, that they will giue a boldenes to trouthe, and to true men. And verilye I haue herde sey, that it were better to suffre an offender go vnpunysshed, than to pu-

punyshe him vnrightwisely & ayenste due order of iustyce.

¶ The conclusion of this answere The. xxi. Chapitre.

For as moche as sir Tho. Moore in his Apologie saith vnder general wordes, that he coude if he wolde, make men see, that very fewe parties of the sayde boke of diuision, wherby he vnderstandeth the sayd tretise, had either such charitie or suche indifference therin, as not onely, the newe noughtie brotherhede bosteth, but also some good folke, as he saith, take it also as a superficial redynge. And bicause maister Moore by reason of the said general clause mai herafter note, what article that he wylle in the saide tretise to lacke charitie and indifferencie, and sey that he ment so at the makynge of the sayde Apologie: Therfore to gyue him occasion to shew his

mynde more pleinly in that behalfe, I shall make mencion of some suche articles, as many men thynke he shulde moste lykely meane it of, thoughe he haue no cause soo to do. And I shall speke somewhat ferther of them, then I dyd in the said treatise, wherof one myght haply be this. In the. ij. Chapitre of the said tretise I reherſed the wordes of Johñ Gerson, where he seith, that clerkes shulde instruct euery man with their wordes, and to the intent that pore men shuld not be greued, that they shulde get their liuinge with some handye crafte, as saincte Paule did. And whether master More think those wordis charitable & indifferent or not, I can not tell, & therfore I shall shewe somewhat my conceite, what as I thynke, mayster Gerson ment by thē. And verily it shuld seme, that he ment not therby, that persons vycars and parishe prystes, and suche other as ministre to the people, shulde

gette

gette their liuinge by handy craftes: for he seythe in dyuers places of his warkes, that the people be bounde by the lawe of god to fynde suche ministres theyr necessarie liuing. And ther fore I thynke his meaninge was of clerkes, that haue no cure, that they shulde liue by somme honeste handye crafte, not contrary to their order as saincte Paule dyd, rather then to lyue of the people. And also peraduenture mayster Gerson might meane farther thus, that it were not incõueniẽt also for curates and spiritual ministres to the people, when their duetie and deuocion were fulfylled, & their feruour to prayer ouerpassed, for eschewynge of idelnes, to occupie them selfe with suche honeste handy crafte, not repugnant to the order of preesthoode, as sainct Paule did, that is to sey, with writinge, redynge, bynding of bokes, making of tentis, graupnge or caruinge of images, or suche other, and

not to vse it as for their holle liuinge, but to be wel occupied, when feruour to prayer were ouerpassed. But if any spirituall man had that grace, that he coulde in suche meane tymes occupie hym selfe with prayer and contemplacion, surely he were moste to be commended: but that is not gyuen but to a fewe: but that spiritual men shulde vse huntinge, hauking, and playeng, or any other outward labor or worldly studie, busines or recreation, as vniuersally as lay men doo, or to kepe & continue ouer moche familiar companie with laie persons, wherby their deuocion mighte be slaked, and they made the more vnapte to prayer and contẽplacion, when they shall returne to it ageine, is not conueniente. For the people therby maye lightely take some euil example. Thus I suppose, that maister Gerson ment by the sayd wordes, and not that prestes oughte to go eyther to ploughe, carte, threshynge,

shinge, mowinge, or any other suche great bodily labours. For they were not cõuenient for their ministration. And trowe ye not that a man mighte saye here without offence, that it hath sometyme greatly diminished the honour that ought to be had and gyuen to the moste high and glorious sacrament of the alter, to see pristis in som placis immediatly after the receiuing of that glorious sacramente, dispose them selfe to worldly companye, and outwarde pleasures, as liberally, as if they had not that daye saide masse: Laye men be taught by priestis, as it is right cõuenient that they shuld be: that they, the dai, that they be houseld on, shall haue a better await on them selfe, in eatinge, drinkinge, laboure, and all other demeanour, then they haue on any other dayes, so that nothinge shulde throughe their defaute happen, that might be to the dishonor of that glorious sacrament. But yet

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some prestis wil not do so them selfe: but as it were through a boldnes and a familiaritie of the ofte receiuyng of that glorious sacrament attempte to doo, and that in maner customablye, that they wolde saye them selfe were not conuenient for lay men to do, the day that they were houseled on: and surely they be bounde to take a more sure awayte of them selfe, as wel before they go to masse, as after thã any lay man is the day that he is houseld. For they maye more lyghtly offende through negligence therin, then any laye man. And I suppose verily, that if due honoure were done by all the people as well spiritual as temporal, as there ought to be to this glorious sacrament, that is in verye truthe the verye bodye and bloode of our lorde Jesu Christe, whiche was borne of the virgin Mary, crucifyed, suffered dethe, rose agayne the thyrde day fro dethe to lyfe, ascended into heuen, sit-

teth

teth on the right hande of the father, and that shall comme to iudge this worlde, whiche is also the moste high and most soueraigne ioy and comfort to all good Christen men, that there shulde folowe therupon greatte loue, charitie, peace, and quietnes amonge the people. wherfore I beseche almighty god shortly to sende that due honour into the hartis of the people, as well spirituall as temporall. Amen.

And here I shal desire al them, that shal rede the wordis that I haue spoken before, of irreuerence done by som prestes to this glorious sacramente, that they thinke not, that I meane it of al prestis. For I know right wel, that there be many pristis, that ordre them selfe right wel, and with due reuerence, as well before the receiuyng of the sacrament as after. Howe be it I doubt yet very moche, that some of them, that doo soo, do not endeuour them selfe as they be bounde to do, to re=

reformeth them that do not so. And especially it is to be merueiled, that the fathers of the churche, that are bishops and ordinaries, haue done no more in tyme paste in their conuocations for reformyng of it, then they haue done: seinge that it perteyneth specially to them to do it. And I thynke verily, that if such conuenient labours were appoynted by good auctorytie as is aforesaide, that there be righte many good, honest, and sadde prestes, that wolde be very gladde of it: and that wolde with good will vse them at tymes conuenient.

An other clause that maister More might peraventure take exception to hereafter, may be that, that is spoken in the.xii. chap. of the said treatise, of lawes made by the churche, which lawes, as it is said there, the church had no power nor auctoritie to make, and that specially of that poynt, that prestes ought not to be putte to answere be-

before laie men. For vnder those general wordes, maister More may sey herafter, if he will, that he founde defaute at that clause, and yet he dothe nat expressely speake ageynste it in no parte of his Apologie. But what he meaneth by reason of the said general wordes, to do therin herafter, I can not tell. And if his meanyng be, that he will fynde defaute therat, and affirme, that it is ageynst the libertie of the churche: the kinges Iustices can informe hym beste, what the lawe of the realme is therin, and then that libertie & the said lawe, maye the better be accorded and agreed to gether.

He may also perauenture fynd a defaute, bycause I sey in the seid tretise, that degradynge coulde not helpe in suche case, if priestis ought not before degradinge by the lawe of god to be areyned: for not withstandynge the degradyng, I sey there, as the trouth is, that the carecter of preesthode, a-

bideth

bideth, so that they be prieſtis as they were before. And therfore I ſey, that if they ſey maſſe, they conſecrate, and if they giue orders, they ſtand good: though they offend in the doing. And they be alſo bound to ſey their ſeruice as they were before, excepte that they may not ſey *Dominus uobiſcum*, nor ſuche other thyngis as perteyne to the dignitie of their ordre. And if they die repentãt, they ſhall haue the aureole, as they that be not degrated. And if this be trewe, that they be yet prieſtis, and that it be true alſo, that it is prohibitid by the law of god, that prieſtis ſhuld be put to anſwer before lay mẽ: why then ſhuld a prieſt be put to anſwere before lay men, or be put in execution by lay men more after degrading then he might be before? Verily I can not ſe why. I ſuppoſe therfore that prieſtis may laufully be putte to anſwere before laie men, and alſo be put in execution by lay men: excepte

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ſuche poyntes, as they haue libertie to the contrary by the kynge, and by his lawes: wherof I haue recited ſom poyntes in the ſaid. xii. chapitre.

And here me thinketh I mighte well ſey, that all the ſpirituall men of this realme are ſpecially bounde in conſcience to gether them ſelfe togyder, to ſe whether they can proue it ſufficiently by auctorite of ſcripture, that it is ageynſte the lawe of god, that prieſtis ſhulde be putte to anſwere before laie men or not. And if they canne proue, that it is ageinſte the lawe of god: I doubte not but that the kingis grace, and all the realme wil gladdely agree therbnto without ferther reſiſtence. For who wolde worke directly ayenſt the lawe of god? I truſte no man.

And if it can not be proued, that their ꝑtence therin is groũded vpõ the law of god, but vpon a ſingular loue and affection to them ſelfe, and that they haue fortified & meynteyned the ſame

by lawes and decrees of the churche, whiche the churche had none auctozitie to make, ne that were neuer accepted in this realme foz lawes: then wil it be righte good and expediente, that they charitably reuoke that pzetẽce of their fre wil: & that they be ouer that pzohibited vpon greatte peynes, that thei shal not any ferther make that pẽtence. And surely I thinke it wyll be harde to bzynge the spiritualtie and the tempozaltie to a ful agrement, tyl that article be bzought to a good conclusion. And if spiritual men wil sey, that if pzestes shall vpon euerye light suspicion oz light complaynt, be put to answere in treasons, murders, and felonies, and suche other, as generally as lay men shal: that then many pziestis shulde be without cause arrested, and vncharitablye handeled. Foz laie men be many tymes cruell ageinst pzestes. To that it may be answered, that it becometh not spiritual men

men to ſey, that laye men be cruell to them (if it be welle conſydered, howe moche good prieſtis be beloued and cheriſſhed of laie men) and alſo what liuinge they haue by laie menne, that nowe be, and by their auncesters.
And ſurely if laie men be cruel to prieſtis, it is through the defaute of prieſtis. ¶ And ferthermoze if prieſtis wold of their charitie, do that in them is, to preuente and foꝛſe, that neither laie men noꝛ prieſtis, as farre as they coulde helpe it, ſhuld not be troubled in ſuche caſe vpon lighte ſuſpections and vntrue complayntes: then wold it ſom what appere, that they pondred the welthe and quietnes of laie men, as they do of prieſtis: and ſo are they bounde to do in dede: but as long as ſpiritualle rulers care mooze foꝛ the welthe & quietnes of prieſtis, then of laie men: oꝛ that there be opinion amonge the people, that they doo ſoo, thoughe it be not ſo in dede: ſo longe

wil laie men, as to the multitude, care but littel for priestes: and thus charitie wil ware colde betwixt them. And I trowe no Christen man wold haue it so, if he might let it.

And thus by occasion of the said generall wordes, in the saide Apologie, I haue spoken somwhat ferther of arreigninge of priestes afore laie men, then I thoughte to haue done. And nowe shall I sey somewhat ferther in a generalitie, as maister Moore hath done, and that is this: that all that I speke in the sayde treatise, was to appese this diuision, and not to begyn any ne to contynue it. And therfore howe they can saue their conscience, that sey I dyd rather entende a diuision then an agrement, I can not tel, their owne conscience shall be iudge. And I entended also sommewhat to moue that might be occasion to putte awey abusions, euyll examples, and heresies: and not to encrease them or

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meinteine them I dare boldly seye.

And ferther as maister Moore knoweth better then I, *Mentire est contra mentem ire*, That is to seye, to lye is when a man seithe ageynste his owne mynde. And in good feithe in al that treatise I speke nothynge, but that I thought was true.

And farther I wyll ascertayne maister More as far as i me is, that I had neyther any subtil shrewes coũsell, ne any euill counsel at the making of the said tretise, which he calleth the boke of diuision, as is said before.

And farthermore if maister Moore wol yet charitably shewe, what lacke of charite or of indifference he findeth in the residue of the said treatise, that he hath not touched, ne any thing spoken of in his Apologie, me thynketh he shulde do better, then vnder suche generall wordes to take exception to it, and shewe no cause why. For soo may a man lyghtly do to any thynge

that is wꝛitten, be it neuer ſoo good.

And to the intent that the Chapitres that maiſter Moꝛe hath clerely omitted of the ſayde Treatiſe, maye be the better knowen, I haue intitled them as herafter foloweth. That is to ſey, the thirde chapitre, the fourth chapitre, the. v. chapitre, the. ix. chapitre, the. x. chapitre, the. xi. chapitre, the xii. chapitre, the. xiii. chaptre, the. xiiii. chapitre, the. xv. chapire, and the. xvi. chapitre, whiche is the laſte chapitre of the ſaid treatiſe. Of al theſe chapitres maiſter Moꝛe toucheth nothing in his apologie, and the ſeconde chapitre he toucheth very lyttell, but he ſaith, that I fynde a fault, and woide that pꝛieſtis ſhulde eate no fleſſhe fro Quinquageſime tyl Eaſter, and that is aboute thꝛe dayes lenger then laie men do. And verily if pꝛiſtis that be able to do it, kept tho thꝛe dais, to ſhew ſomme diuerſitie therin betwixte laie men and them, it were no great matter

ter, ne no matter for maister Moze to tary so longe vpon as he doth, as me semeth. And yet I fynde not that de-faute my selfe. For I do but onely re-cite the wordes of maister Gerson, cō-cerninge that faste. And I am sure, if maister Moze had lyst, he could haue recited many other thynges, that be spoken by maister Gerson in the said ij. chapitre, as well as that fastinge: which had ben moze necessary to haue ben spoken of, then that fastinge is. But what he meanith to speke of that thinge, that is lesse profitable, and to leue other thynges that be in the said ii. chap. vntouchid, that had ben moze pfitable, & moche charitable to haue spoken of, then that is, and after to impugne them al by his said generall clause, in such maner as he hath don: I can not tel, ne as I suppose no mā els can tell, tyll he hym selfe declare, what he mente thereby. And here I make an ende of my aunswere to the

said Apologie, for this tyme.

¶ The. xxij. Chapiter.

BYZANCE. It appereth in the later ende of the chap. next before this, that the maker of the saide treatise there maketh an ende of his aunswere to the saide Apologie, I praye the my frende Salem shewe me thy mynde, how thou thinkest of it. SALEM. Verily I like it wel, howe be it for as moche as it shuld seme, that he entended not at this tyme to make a full answer to euery article of the said Apologie, I shall (if he will) cause a frende of myn to make an answere to all the residue of the saide Apologie. And I beseche our lorde that a good agreement may shortly folowe accordynge to his desire. And I wolde not onely desyre that, but also I wolde gladlie desyre, that all Christen princes mighte also falle to a good peace and

and amytie, and fynally to proceede with helpe of all the ſpiritualtie, the one with prayour, the other with power, ayenſt the moſt cruell ennemies of all Chriſten religion, that are the Turkes, and all the curſed ſecte of Mahumete, whiche hath done more hurt to the chriſten feithe, then any other ſect hath done, ſith Chriſtis feith began. And this were a better weye, then one chriſten man thus to varye with an other, wherby no profite folowethe, nother for this worlde, nor for the world to come. BYZAN. Verily it is as thou ſayeſt, but yet I can not ſee, what it wolde profite the and me, that can littel ſkille in that mattier, and can do but littel good in that behalfe, to meddell therin. And therfore it wyll be more expedient for vs, as I ſuppoſe, to commytte that matter to other, that can & maye do good therin: and that haue more occaſion to ſpeke therof then we haue: then to

treate any ferther of it. SALEM. As thou seyest we can do littel good therin: but yet neuer the les a good wille no man may blame. And the occasion that hath moued me to speke so far of that matier at this tyme, as I haue done, is this, my name is Salem, & thy name is Bizance: and Jerusalem was sometyme called Salem, as my name is: and by an other name it was also somtyme called Jebus, and so of those two names it was called Hiebussalem, and after by cõmon speche and alteration of letters it was called Hierusalem. And the citie of Constantinopole, whiche had that name giuen vnto it by the great emperour Constantyne, was sometyme called Bizance, as thy name is: whiche cities be nowe in thraldome and captiuitie of the cursed Turkes. And soo the metinge of vs two nowe together by chaunce, whiche beare the names of those two cities, hath broughte the remem-

remembrance of them into my mynd, whiche hathe moued me to consyder, howe greatte pitie it is, to se so many people as be in the sayde cities and in the countreys theraboute, lye in the danger of the diuel, and daily perisshe by their infidelitie, to their eternalle damnacion, as there dothe, and that yet christen men loke no moze vpon it then they do. And I haue thought the moze of the matier, bicause I suppose that the said secte is nygh at an ende, and that it shall not longe contynue.

BIZAN. But what maketh the to suppose, it shuld not longe continue? For as to mannes iudgement it was neuer in greatter power thenne it is nowe. And I thynke verily, thou canste speake lyttell in that mattier of thy selfe. And if thou woldest, lytel credence wold be giuen to thy seying.

SAL. It is true as thou sayst: but I speke it by occasion of a texte, that is in the Apocalips, the .xiii. chapitre: wher=

wherupon I haue seen an exposition, that openeth the texte in suche maner, that me thinketh I can giue good credence to it. And if thou wilt, I shall recite the said exposition, as thoughe it hadde ben made this present yere, whiche is the yere of our lorde god. MDXXXIII. but yet I wil kepe the same accompte of yeres, as is in the said exposition. And though I varye sometyme from the seid exposition in wordes, I wyll not varye from it in effect. And surely if the exposition be true, then that secte is nere at a point to be distroyed. BIZAN. I pray the lette me here that exposition. SAL. I shall shewe it to the with good will in the nexte chapiter folowyng.

¶ An exposition of a texte in the Apocalips, wherby it appereth, that of likelyhod the secte of Odahumete shal not lōge endure. The.xiii. Chapiter.

IN the said. XIII. chapitre of the Apocalips it is writen in this maner

ner: Hic ſapientia eſt, qui habet intellectum, computet numerum beſtiæ, numerus enim homi nis eſt, & numerus eius ſexcẽti ſexaginta ſex, That is to ſey: Here is wiſedome, he that hath vnderſtandinge, lette hym counte the numbre of the beaſte, it is forſoth the numbre of a man, and his numbre is ſix hundred ſixtie and ſixe. And by this beaſte, as it ſemeth, may conuenently be vnderſtande Mahumete. For Mahumete ledde a voluptuous life: And that life after the philoſopher .i. Ethic. is called a beaſtly life, And ſo it ſemeth that the nũbre, wher of mencion is made before, concerneth Mahumete and his curſed ſect, whiche for his beaſtly lyfe is called a a beaſte, as is ſayde before. And then hit is to be noted, that ſayncte Johñ in the ſaide texte makethe mencion of two numbres. For firſt he ſeith: It is forſoth the numbre of a man: and after he ſeith: and his numbre is. vj. C. lxvj. And firſte I ſhal touche brefely, what

what me thinketh is to be vnderstãde by the first numbre: And after I shall somewhat touche, what me thinketh he shulde meane by the seconde numbre: that is by the said nombre of sixe hundrede thre score and sixe. Neuer the les bycause I am not a prophete, nor the sonne of a prophete, I wil sey nothinge in this writinge, but as by way of protestation, trustinge not to say any thinge therin, that shal repugne ageynst scripture, nor ayenst the seyinges of holy sainctis or doctours of the churche. Then to touche somewhat of the firste numbre, where it is said, *Numerus enim hominis est*, it semeth, that that numbre maye conueniently be referred to the tyme of the continuance of the secte of Mahumete, that was begũne by that beastly man Mahumete. And it shulde seme also, that the numbre of the yeres, that the said secte shall contynue, is secretely conteyned & declared in the said wordes,

when

when it is ſaid, *Numerus enim hominis eſt*, that is to ſey, it is the nũbze of a man. And that as me ſemeth appeth bi this reaſon. *Adam* in hebzewe is as moche to ſey in latine as *homo*, that is to ſeye in engliſhe a man. And therfoze ſaint Hieronyme ſeyth, that where ſo euer this wozde *Homo* is in the latine tranſlation, that there is in Ebzue, *Adam*, as in the.iiii. pſalme, where it is ſeid: *Filij hominum uſquequo graui corde. &c.* It is in Ebzue *Filij Adam. &c.* And then if *Adam* in hebzue be as moche to ſaye in latine as *homo*, whiche in engliſſhe is as morhe to ſey as a mã: then as it ſemeth, by this wozde *homo* in latine, maye in like wiſe as by an excellencie be vnderſtande *Adam*, as moſt ſinguler man. For of al other men he was mooſte excellent man, mooſte perfite, moſte wiſe, and moſte counnynge befoze al other that was only man. Foz to hym that is god and man, is no cõpariſon. And then lyke as yf a man

ſpeke

speke of a prophete, not naming any prophete in certayne, it is commonly taken for the prophete Dauid, for his excellencie before other prophetes. And if a man speke of a boke, not naminge any boke in certayne, it is vnderstande by doctours to be mente of the Bible. For *Biblia* in hebrewe is in latin *liber*, that is to sey in englishe the boke: as who seith most singlar boke. And so by this terme, the virgine, is vnderstande our lady: so in like wise it may be saide by this worde man, is vnderstande *Adam*, as moste excellent man, as is afore saide. And thus me thynketh that the saide texte, that is to seye, *Numerus enim hominis est*, that is to sey, it is the numbre of a man, may be conuenientlye taken of this effecte, as if it had bene expressely saide, it is sothly the numbre of *Adam*. And then it is al one to sey, it is the noumbre of *Adam*, and to seye it is the noumbre of the yeres of the lyfe of *Adam*. And it

appe=

appereth in the .v. chapiter of Genesis, that Adam lyued, ix.C. and .xxx. yeres. And nyghe about so many yeres it is sith the said Mahumete was borne, as it appereth by diuers wryters, that haue treated of that cursed man. For it is moste cõmonly agreed amonge al wryters, that Mahumete was born about the yere of our lorde. fiue hũdred. lxxxvi. which was about the later ende of the great tirant Cosdroe king of Persie, that toke the holy crosse fro Jerusalem. And froo the sayde yere of our lorde fiue hundred. lxxxvi. vnto this yere, whiche is the yere of oure lorde god. M D X X X I I I, be ronne. ix.C.xxxv. yeres or nigh aboute. And so that secte hath continued fyue yere lenger, then after this accompte is made mention of in the sayd texte. And therfore after this accompte it may very wel be concluded, that it is like, that the said secte shulde shortly haue an ende. And though the

saide secte cessed not the same yere, as the said accompt of the said yeres serued to, by the said texte, it forceth littel. For it is not cõmenly seen, that scriptures, or reuelacions haue ben taken precisely to determin the very certeyntie of the yere, that suche thinge or suche shulde be done: but that hit shulde be done nigh about that tyme. And so it was taken, as it apperethe Hieremie. XXV. where our lorde speketh of the destruction of the lande of Caldey, sayenge thus, *Cum impleti fuerint septuaginta anni, uisitabo super regem Babylonis, et super gentem illam, Dicit dominus, iniquitatem illorum, et super terram Chaldæorum, et ponam illam in solitudines sempiternas.* And yet neuer the les when he saide. lxx. yeres were paste, the said distruction folowed not immediately after, but at conuenient tyme, nyghe folowynge therupon. And so it may be of this secte, that it shal shortly hereafter be distroyed, accordinge to the effecte

of

of the saide wordes: thoughe it were not destroyed the same yere, that the saide texte, after the saide exposition, stretched to. And if it be said, that after this interpretation, the saide secte shulde not of lykelihode yet ceasse of longe tyme: for Mahumete beganne not his secte tylle. xl. yere of his age, as most writers sey. And if the accõpt of the tyme of the continuance of the said secte, shalbe taken from the said xl. yeres of his age, as peraduenture some wyl sey it is moste reasonable to be, bycause his secte beganne then, and not afore: and that then there is yet. xxxb. yeres to comme, or there about, ere that secte shulde come to an ende, as will appere to hym that wyl lay the yeres of Adam to the continuance of the said secte, begynninge at the said. xl. yeres. To that it maye be answered, that the said texte is as wel to be referred to the begynnynge of the lyfe of Mahumete, as to the be-

ginninge of his secte. For the wordes of the said text be these: He that hath wisedome, may compte the noumbre of the beaste: and by that worde beest may be vnderstande as well the saide Mahumete, whiche may conuenient ly be called a beast for his beastly life, as is seyd before, as his beastly secte. But if the said texte hadde ben thus, He that hath wisedom, may accompt the numbre of the secte of the beaste, then their reason had bene somewhat to haue ben regarded. But as the lettre is, it agreeth more with the lettre, that the accompte of the sayd nombre shall be taken from the birth of Mahumete, to thende of his secte, thenne fro the begynninge of his secte. For as the redemption of man toke a gret special effecte at the birth of our lord, and at his conception, though it was not fully accomplished vnto the passion: so it may be seyd, that to al them, that folowe Mahumetis lawe, a spe-

cial

ciall operacion to their dampnation was wrought by his byrthe. And so me semeth, that it is most conuenient to begynne the saide accompte from his byrth.

And as to the said numbre of six hundred sixtie and six yeres, after Lyre on the said. xiii. chap. of the Apocalips, hit signifyeth the tyme that was betwene the birthe of Christ and the dethe of the said Mahumete. For so many yeres were betwene them, as will appere to hym that listeth to rede the accompte, that Lyre maketh therin and his sayinges to gether. But for as moch as that last nũbre seruith not to the purpose, that I haue treated of before, that is to sei, to shew how lõge the said secte shall continue: therfore I entende not to speke any ferther of it at this tyme. Thus farre gothe the said exposition.

And ferthermore lyke as I haue red in cronicles, that dyuers kynges of

this realme, and theyr people also haue in tyme paste hadde great zeale and desyre to haue the holye lande brought ageyne in to Christen mens handes: soo maye it be that nowe, throughe grace, a lyke desyre maye comme amonge the people, to haue hit nowe recouered. And if there come such a desire in the hertes of the people: it were not vnlyke, but that they shulde haue the desyre of theyr herte fulfylled, though other, whiche before them hadde lyke desire, had it not fulfilled, for the tyme was not yet come. BYZAN. I praye the shewe me what cronicles, or other thynges, hast thou harde, to proue that kinges of this realme and their people haue had desire to recouer the holy land. SALEM. I shall shewe the of somme with good wyll.

Of

Of diuers kinges, princis, and lordis of this realme that haue hadde great desire to recouer agein the holy lãde into christen mens handes, after it was taken by Saladine fro christẽ mẽ. The. xxiiij. Cha.

SALEM. Thoughe this realme of Englande be one of the fertheste christen realmes fro the holye lande, yet I suppose, that it hathe done as moche for to haue recouered the holy lande ageyn into christen mens handes, as any realme christened hathe done, that haue ben more nerer to the holy lande then this is. And therfore to thentent that it may the better appere, what great labours and peynes many princis and noble men of this realme haue taken in that behalfe: I shal here after in this chapitre remembre certein cronicles, that trete of that matier, as hereafter appereth.

Fyrste in the yere of our lorde god. M. Clxxxx. kinge Richarde the fyrste,

called Cure de lion, and Philip the french king, at Marsilia, where saint Marie Magdalen lieth, in the vtas of the natiuite of seint Johñ Baptist, toke their iourneye towarde the holy lande, and there they wanne the citie of Acon, where by reason of a diuisi-on, that fel betwixt them, the frenche kinge returned home agayne. And in that iourney Bauldwyn archebish op of Canturbury died in the holy lande. Then king Richarde did there many notable actes, wherby the infidelles dred hym right sore. And amonge o-ther thinges he subdued the lande of Cypres. And yet finally he retourned agayne into Englande, without ob-teynynge that he desired: for the time was not yet come.

And in the yere of our lord god. M. CCxviii. wente out of Englande to-warde the siege of Damiat Ranul-phus the noble erle of Chester, Wil-liam Arundell, and the noble barons

Ro-

Robert the ſonne of walter, Johñ con ſtable of Cheſtre, and william Hare= courte, and Oliuere the kingis ſonne of Englande, with great company: whiche ſiege continued tylle the yere folowinge: and then it was taken in to the handes of chriſten menne: but the thirde yere after, it was taken a= geyne by the inkidels.

And in the yere of our lord. M. CC. lx. the Erle Rychard, broder vnto the kinge Henry the thirde, whiche after was kinge of Almayne, accompanied with the kyng of Nauer, and the erle of Britayne, landed at Acon: & with= in two dayes after, the erle Richarde cauſed it to be proclaymed, that no ſouldiour, of what nacion ſo euer he was, ſhulde departe oute of the holye lande for lacke of wages: but that they ſhulde vnder hym haue wages to ſerue our lorde. And when the ſa= raſins harde that crye, thoughe the kinge of Nauerre and the erle of Bre

tayne ſhortlie after withdrewe them ſelfe and fledde, yet the ſarazins dred ſooze the wiſedome and power of the erle Richarde, as welle bycauſe that name Richarde was yet moche dred to the infidels, as alſo foz that he had great abundance of golde and ſyluer, as foz that he was the emperours ſyſters ſonne, and erle of Poicters and Cornewaile. And in this tyme dyed many pilgrimes of Englande, ſome goinge towarde the holy lande, and ſome compynge from thens: that is to ſey Eudo, brother to the erle, Richard Hamo, Richarde Betune, Johñ fitz Johñ, ſtewarde to the ſaide erle, and Johñ Beauchampe a noble knighte.

And the yere folowynge the Erle of Salisbury came from the holy lãde, and landed at Douer.

And in the yere of our lord god. M. CClxix. prince Edwarde, eldeſt ſonne to kinge Henry the thirde, entending to fulfylle the aduowe, that he hadde

made

made into the holy lande, in May toke his iourney, with many nobles of the realme. And before him was gone towarde the same iourneye Lewes the frenche kinge with a stronge company. And prince Edward went streight towarde Acon, and by the weye landed in the isle of Sardinia, and there he herde certaine tidynges of the deth of Lewes the frenche kinge, to whom Philip was heire. And thither came to hym Charles, brother to the sayde Lewes that was kinge of Cicyl. And though prince Edwarde entēded only to distroy the ennemies of the crosse of Christe, yet the saide Charles dyd not so: but toke of the sarazins, in tho parties, great sommes of money for a truce, whiche dyd great hurte.

And after the saide Charles kynge of Cecile, and prince Edwarde, sailed towarde Cecile: and by the waye many of the shyppes of the sayde Charles were with great tempestes perisshed

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in the see, with al the money that was taken of the sarazins: but the shyppes of prince Edwarde, that were in the myddes amonge the other, came saufely to lande, whiche was taken for a great miracle: whiche as many men toke it, was bycause prince Edwarde coueited not the money of the infidels, but to recouer the contreys, redemed with the bloudde of Christe, into Christen mens handes ageyne.

Then Charles and Philippe returned into France, and prince Edward with a smal company went forwarde on his iourney towarde Acon: which ne hadde ben his comynge, was lyke within foure dayes, to haue ben delyuered into the handes of the sarazins. Then the citie punysshed certayn fals christen men: and somme of Uenice, that had ministred armoure and vitayle to the sarazins. ¶ After prince Edwarde, with a greatte companye wente out of Acon to Nazareth, and

by

by the castels of Cake and Caiphas, and slewe all the sarazins that he met with: but he retourned anon for fere of some false christen men.

And in the yere of our lord. M. CC. lxxi. prince Edward was like to haue bene slayne in the citie of Acon by an Assyssyn, that camme to hym from a great prince of the Turkes, vnder colour that he wolde becõme a christen man, if he durste for feare of his people. And when the false traitour, vnder that pretẽce was brought into the presence of the prince: sodainly with a venemed knyfe he strake the prince vpon the breaste, intendinge to haue slayne him: whiche as god wold, had on a secrete cote of defence. And when the prince perceiued the treason, with his fote he strake downe the traitour, and starte sodeinly to hym to pull the knyfe out of his hande. And with the violẽce happened to strike hym selfe, with the poynt of the poysoned knife,

into

into his forehead, wherby he was in great peril: but with the helpe of his phisicions and surgions, he escaped that dangere. And this yere dyuers noble men of Irelande, and also the noble manne Thomas de Clara, that broughte with hym foure sarazins, whiche he hadde taken in captiuitie, cam from the holy lãde into Englãde. And the yere folowynge dyed kynge Henry the thyrde. And the same yere camme Edmonde, that was yonger brother to prince Edwarde, fro the holy lande into Englande. And after prince Edwarde, leauinge sufficiente numbre of souldiours in Acon, came into Cicell, and so into Italy, and after into Burgondy, where many of the nobles of Englande mette hym. And thã he went in to France, where he was honorably receyued of Philip the frenche king, for they were sisters childzen. And so he wẽt into Gascoin. And when he had there set all thingis

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in good order, he came into Englãde. And so hit appereth, that this noble prince obteyned not his desire, concernynge the recouery of the holy lande: for the tyme was not yet come.

Also I haue herde it many tymes reported, that kynge Henry the fyfthe had great desire to haue gone into the holy lande, and that after when he fel sicke, and that he sawe his syckenesse grewe sore vppon hym, he seide this verse: *Benigne fac domine in bona uoluntate tua Sion, ut edificentur muri Hierusalem*, that is, lord do thou beningly in thy good will of Sion, that the walles of Hierusalem myght be reedified. And it is not to suppose, that by thoo wordes, the walles of Hierusalem, he vnderstode only the material walles of Hierusalem. For the buyldinge of them was not so greattely to be regarded: but he ment the spiritual walles, that is the walles of the trewe catholicall feythe, whiche he desired might be re-

edi-

edified about Hierusalem, and al that countrey. And yet he had not his desire therin, for he died of the same sickenesse. And what shulde we thinke was the cause, that he had not his desire graunted: but that the tyme, that our lorde hathe appoynted, that the christen feithe shulde be brought thider agayne, was not yet come?

And no more it was, whan the right noble prince of blessed memory kinge HEMRY the. vij. father of our soueraigne lorde the kinge that nowe is, wrote a lettre to the pope, puttynge hym in remembraunce, howe greatte pitie it was of the desolation of the holy lande, and of the citie of Constantinopole, and the countreyes there about, aduertising him also to sturre al princis christened to the relefe therof: & he said that he wold be redi with his power as nede shulde be. To whome the pope wrote ageyne, giuynge him great thankes and commendacions,

that

that he wolde put hym in mynde of so charitable a thinge, that he hym selfe ought first before all other to haue remembred: How be it he said two thinges caused him to doubt moche vpon that mocion: one was, for that it had be sene in tyme paste, that when christen princis of a good zeale, that they haue hadde to the christen feyth, haue gone together into the holy land, they and theyr people haue varied: And there as their purpose was to fyghte ageinst the infidels, they haue fought amonges them selfe, and shedde christen mennes bloudde, and fynallye haue returned ageyne with small encrese of the christen feith. The secõde was this, that the power and ryches of the Turke was so encreased, that it was moze daunger nowe to warre ageynst him, than it was before.

And as to the firste doubt, the king made answere ageine by an other letter, and seide, that his pourpose was

not that christen princis shulde ioyne together in that iourney, but that euery prince, that wolde goo, shulde be stronge inoughe of hym selfe, with helpe of god, to take one quarter: & as for hym selfe, he saide he wolde go by water without helpe of any other. And as to the seconde doubte: lyke a trewe catholicall prince he sayde, he lytell doubted the power or ryches of the Turke: for the victorie of bataile standeth not in them, but in the hāde of god. And the briefes and copies of the saide letters were openly redde in the sterre chaumbre before the archebysshop of Canturburye Warrham, then being chancellour of Englande, where it was my chaunce then to be, and with other to here them redde. And sithe that tyme I haue herde but lyttell more speking of that pretence: for the kinge anone after wexed sickely, and so continued in maner tyll he dyed. But nowe if suche a desire felle

into

into the hertes of the people, as hath done before: som trust might be had, that the time of the cõuersion of mani of the said infidels were nere at hãde, with that onely that christen menne wolde falle to a good peace and agremente amonges them selfe. For tylle than, no good can growe ne encrease in that matter. But yet I wolde not, that mayster Moore shulde take my sayenges, concernyng that truste, as thoughe I shulde speake them as prophecies, as he sometyme notethe the maker of the said treatise in some thynges to do, whome he in his Apologie calleth many tymes the pacifier: for I speake them not as prophecies, but as thynges, that as me semethe by reason of the sayde exposition, and by dyuers reasonable coniectures, are lykely to ensewe. BYZANCE. Uerilye as thou sayest, mayster Moore calleth the maker of the sayde treatyse many tymes in his

Appologie pacifier: And thoughe it appereth that he meaneth not soo, for he saithe sometyme, that the maker of the saide treatise taketh away rather to the contrarye of a pacifier, then to make peace: yet I dare seye, that if a good peace and agrement may ensue, by whose meanes so euer it were, eyther as coulde be deuysed by mayster Moze hym selfe, oz by any other that coulde take a better waye therto then he can: that he wolde be righte welle contented therwith. And thus the glozious Trinitie haue in his keping bothe the and me. Amen.

Finis.

PSAL. CI.

Vt annunciant in Sion nomen dñi:
Et laudem eius in Hierusalem,
In conueniendo populos in unum,
Et reges ut seruiant domino.

Fautes, and wordes scaped in the printynge.

FOlio.iii. pagina. ii. linea. vi. after right rede gladde. Fo.vi.pag.i. linea. xv. rede tho causes. Fol. viii.pa. ii. linea. i. after those wordes, be dothe not, rede those wordes, to this realme. Fo. xxxix. pa. ii. linea. ii. rede after selfe, ne no man. Fol. xlvii. pa. ii. linea. xix. rede, not only the. Fol.lii. pa. i. linea. vii. rede after onely, be bounde. Fol. lxviii. pag. ii.lin. v. put out saide. Fol. xcii. pag. i. linea. xvii. rede more charitable. Folio. xcvii. pag.i. lin. x. rede lxxxxvi. et lin.xv. rede agayne. lxxxxvi. Fo. eodem pag.ii. lin.xviii. rede, whan the sayde. Folio. C.iiii. pag. ii.lin.vii. rede HENRY.

LONDINI IN AEDIBVS
THOMAE BERTHELETI.
M.D.XXXIII.
CVM PRIVILEGIO.